
(2021) 09 OHC CK 0010
In the Orissa High Court
Case No : Criminal Appeal No. 577 Of 2020

Siba Prasad Parida

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 03-09-2021

Acts Referred:

Indian Penal Code, 1860 — Section 312, 376(2)(n), 506
Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 — Section 3(1)(w), 3(2)(va), 14A

Citation : (2021) 09 OHC CK 0010

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : Ashok Kumar Behera, Sk. Zafrullah, P.K. Padhi

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. Heard Mr. Behera, learned counsel for the appellant, Sk. Zafrullah, learned Addl. Standing Counsel for State and Mr. Padhi, learned counsel for Respondent No.2.

2 This appeal under Section 14(A)(2) of SC & ST (POA) Act is for grant of bail to the Appellant Siba Prasad Parida in connection with C.T. (Special) Case No.58 of 2020 arising out of Kuakhia P.S. Case No.232 of 2020 pending in the file of learned Special Judge, Jajpur for alleged commission of offence under Sections 376(2)(n)/312/506 of the Indian Penal Code read with Section 3(1)(w)/3(2)(va) of SC and ST (POA) Act.

3. It is submitted on behalf of the Appellant that he is inside custody since 14th October, 2020 and as per the allegations the victim and the appellant were in love relationship with promise for marriage.

4. Learned counsel appearing on behalf of Respondent No.2 submits that the Appellant by promising to marry kept physical relationship with the victim and

subsequently denied to marry.

5. After hearing learned State counsel as well as learned counsel for Respondent No.2 and considering the circumstances of the case and the statement of the victim recorded under Section 164 Cr.P.C., it is directed to release the present appellant on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the Court or tamper with the evidence.

6. The CRLA is accordingly disposed of.

7. An urgent certified copy of this order be issued as per rules.