



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.764 of 2025

Rahul Durga

.... **Petitioner**

Mr. A.K.Nanda, Advocate

-Versus-

State of Odisha

.... **Opposite Party**

Mr.U.R.Jena, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

17.03.2025

Order No.

02.

1. Heard learned counsel for the petitioner and State.
2. Instant petition is filed for release of the petitioner on bail in connection with Belghar P.S. Case No.38 of 2024 corresponding to C.T. Case No.107 of 2024 pending in the file of learned JMFC, Tumudibandh on the grounds stated therein.
3. Gone through the statement of the victim recorded under Section 164 Cr.P.C. It is made to reveal that the petitioner and the victim stayed together under one roof for some time. It is made to reveal that the petitioner thereafter deserted the victim and even blocked her mobile number and claimed to marry another girl. The details of the circumstances leading to the relationship between the two, till the time, there was separation have been described by the victim in her said statement. Learned counsel for the petitioner submits that no offence of rape is made out considering the relationship between the parties. As it appears, the petitioner since declined to accept and marry to victim and even committed mischief thereafter, the report was lodged. Considering the same and since there was a committed relationship for about two years and the victim as it appears is inclined to stay with the petitioner,



the Court is of the view that the latter should be allowed to go on bail for a period of three months so as to facilitate their marriage.

4. Accordingly, it is ordered.

5. In the result, the petition stands disposed of. As a necessary corollary, the petitioner is directed to go on bail for three months in connection with Belghar P.S. Case No.38 of 2024 corresponding to C.T. Case No.107 of 2024 subject to him furnishing a bail bond of Rs.40,000/- (rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned JMFC, Tumudibandh, who shall be at liberty to impose such other conditions besides the following, such as, he shall furnish an undertaking before the learned court below to accept and marry the victim within the above period.

6. The BLAPL stands disposed of.

7. Urgent certified copy of this order be granted as per rules.

Kabita

(R.K. Pattanaik)
Judge

Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC,Cuttack
Date: 18-Mar-2025 14:19:35

