



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1139 of 2025

Karunakar Jena @ Silu

.... **Petitioner**

Mr. K. Mohanty, Advocate

-Versus-

State of Orissa

.... **Opposite Party**

Mrs. U. Padhi, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

27.03.2025

Order
No.

02.

1. Heard learned counsel for the petitioner and State.
2. Instant petition under Section 483 BNSS is filed for release of the petitioner on bail in connection with Special Case No.274 of 2024 pending in the file of learned ADJ-cum-Special Court under POCSO Act, Balasore corresponding to Remuna P.S. Case No.185 of 2024 on the grounds stated.
3. Gone through the FIR as at Annexure-1. The statement of the victim under Section 180 BNSS is at Annexure-3. A copy of the victim's statement under Section 183 BNSS is produced by Mr. Mohanty, learned counsel for the petitioner, with the claim that she joined the company of the petitioner and both stayed at a place in the State of Tamil Nadu. A copy of the medical examination report of the victim is produced to claim that there is no trace of any evidence of sexual mischief. From the FIR i.e. Annexure-1, the Court finds that a missing report was lodged by the informant's father. The statement under Section 180 BNSS of the victim reveals that she accompanied the petitioner travelled to Bhubaneswar and finally,



landed up in the State of Tamil Nadu and stayed with him under one roof for some days and thereafter, was rescued. Considering the same, circumstances leading to the lodging of the FIR and though, the victim is a minor by then and her consent to be immaterial, the Court is of the view that the petitioner, a young boy aged about 24 years and since, he is in custody from 4th November, 2024, the Court is inclined to direct him to go on bail with conditions.

4. Accordingly, it is ordered.

5. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioner is directed to be released on bail in connection with Special Case No.274 of 2024 arising out of to Remuna P.S. Case No.185 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 ADJ-cum-Special Court under POCSO Act, Balasore, who shall impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall not cause any harm or injury to the victim or her family members in any manner, whatsoever, after being released and to furnish an undertaking on that behalf and the same time, to attend the learned court below on each date of posting of the trial, till the same is concluded.

6. The BLAPL is disposed of.

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

(R.K. Pattanaik)
Judge

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC
Date: 28-Mar-2025 11:11:21

