

**CORAM: HON'BLE SHRI JUSTICE S. K. PANIGRAHI**

**BLAPL No.595 of 2021**

**Bapi @ Jayakrushna Behera**

**... Petitioner**

**Vrs.**

**State of Odisha**

**... Opp. Party**

03. 26.02.2021            Heard, learned counsel for the petitioner and the learned counsel for the State.

Petitioner being in custody in connection with Derabisha PS Case No.93 of 2020 corresponding to GR Case No.35 of 2020, pending in the court of the learned Additional Sessions Judge-Cum-Special Judge, Kendrapara, has filed this petition under Section 439 of the CrPC for his release on bail. The offence alleged against him is punishable under Sections 457, 294, 506, 354-A, 354-D of the IPC and read with Section 12 of POCSO Act.

The factual backdrop of the case, in nutshell, is that the petitioner twice barged into the house of the informant for which he was arrested on 19.03.2020. Thereafter, the petitioner was released on bail. It was further alleged that after release from custody, the petitioner once again barged into the house of the informant and threatened for dire consequences. The accused asked to withdraw the

case otherwise she would suffer. He also tried to outrage the modesty of a minor girl.

Learned counsel for the petitioner submits that the petitioner has been sufficiently punished for the alleged offence. He further submits that the informant is the neighbor of the petitioner. The petitioner has been in custody since 06.05.2020.

Learned counsel for the State vehemently opposed the bail prayer of the petitioner since the petitioner has violated the bail conditions.

Regard being had to the facts and submissions made, especially the nature and gravity of accusation, conduct of the petitioner, character of supportive materials appearing against the petitioner in support of the charge, circumstances, in which the offence alleged to have been committed and heinousness and seriousness of the offence alleged, I am of the view that the petitioner does not deserve to be released on bail. Hence, his prayer for bail stands rejected.

Accordingly, the BLAPL stands disposed of being dismissed.

Issue urgent certified copy of this order on proper application.

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**S. K. Panigrahi, J.**