

IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL NO.31 OF 2021

Jashobant Behera

....

Petitioner

Mr. Anirudha Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Jena, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

04.08.2022

Order No.

02.

1. The matter is taken up by hybrid arrangement (virtual/physical) mode.

2. This is the second journey of the Petitioner in filing this application under Section-438 of the Cr.P.C. for his grant of bail in the event of his arrest in connection with Khajuripada P.S. Case No.60 of 2017 corresponding to C.T. Case No.41 of 2017 on the file of learned Special Judge, Phulbani for alleged commission of offence under Section-376/307 of the IPC read with Section-6 of the POCSO Act, for his release on bail in the above mentioned case.

3. Heard learned Counsel for the Petitioner and learned Counsel for the State.

4. Considering the submissions made and on going through the materials as placed; further keeping in view the earlier order dated 07.09.2017 passed by this Court in ABLAPL No.11579 of 2017, finding no changing circumstances, I am not inclined to reconsider the prayer for grant of anticipatory bail to the Petitioner. It is however observed that if the Petitioner would surrender before the Court is seisin of the case and moves for his release of bail, the same shall be considered on its own merit and disposed of early in accordance with law.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

(D. Dash),
Judge.