

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 95 OF 2021

Debasish Pradhan@Debasis @ Kanha

***..... Petitioner
M/s. S. Mohapatra, Advocate***

-versus-

State of Odisha & Another

***..... Opposite Party
Mr. S.S. Pradhan, AGA***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
21.06.2022**

Order No.

11.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The Petitioner is an accused in connection with Special Case No. 171 of 2020, arising out of Rupsa P.S. Case No. 57 of 2020 pending on the file of learned Special Judge, Balasore, registered for the alleged commission of offence under Sections 363/366/376(3), of the I.P.C, read with Sections-4/12 of the POCSO Act. The petitioner is in custody since 02.07.2020.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Special Judge, Balasore, by order dated 02.11.2020 in special Case No. 171 of 2020, the present BLAPL has been filed.

5. Perused the 164 Cr.P.C. statement and Medical Examination Report of the victim, taking note of the submissions of the learned counsel for the petitioner that the petitioner is in custody since 02.07.2020 and the trial has not commenced and in view the law laid down by the Apex Court in the case of ***Hussainara Khatoon & Others Vrs. State of Bihar***, reported in ***(1980) 1 SCC 81***, this Court directs that the petitioner shall be released on bail on such terms to be fixed by the court in seisin of the matter including the additional condition that the Petitioner shall appear in person before the Jurisdictional Police Station once every week within 10.00 A.M to 2.00 P.M. till the conclusion of trial. The first date of such appearance to be fixed by the learned Court in seisin over the matter.
6. Any default relating to appearance shall entail cancellation without further reference to this Court.
7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per Rules.

(V.Narasingh)
Judge

Balaram