

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.382 OF 2020

Swadhin Hara

.... ***Petitioner***
Mr. P.K. Routray, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.K. Nayak,AGA.

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
03.01.2022**

Order No.

05. 1. The matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the second journey of the Petitioner who is in custody in connection with Bheden P.S. Case No.22 of 2017 corresponding to C.T. Case No.24 of 2018 on the file of learned Addl. Sessions Judge-cum-Special Judge, Bargarh for alleged commission of offence under Section -366/363/3765(2)(n) of the IPC read with Section-6/17 of the POCSO Act, in filling this application under section 439, Cr.P.C. for his release on bail.
3. Upon hearing learned Counsel for the Petitioner and learned Additional Government Advocate; record being perused, it is seen that the Petitioner had last moved the Trial Court on 20.11.2018, praying for his release on bail. In view of the long lapse of more than three years by now; this Application stands disposed of granting liberty to the Petitioner

to approach the Trial Court in case the trial has not yet been concluded for his release on bail afresh, by citing all the developments which have taken place in the meantime for their consideration in proper perspective.

It is needless to observe that in the event such a move is made, the Trial Court would do well to consider the same on its own merit; further taking into account all such developments which have taken place in the meantime in their proper perspective without being influenced by earlier orders and dispose of the same early in accordance with law.

4. The BLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

