

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1219 of 2022

Abhaya Nath

....

Petitioner

Mr. H.S. Panda, Advocate

-versus-

1. State of Odisha

2. Bhagaban Malik

....

Opp. Parties

Mr. D.K. Pani,

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
08.02.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Special Case No.241 of 2021 arising out of Soro P.S. Case No.363 of 2021 pending in the Court of learned Special Judge, Balasore for alleged commission of offences under sections 341/506/376(2)(n)/294/34 of the Indian Penal Code, section 6 of the POCSO Act, section 67 of the Information Technology Act, 2000 and sections 3(1)(r)/3(2)(v) of the S.C. & S.T. (PoA) Act, 1989 (Amendment Act, 2018).

Perused the F.I.R.

In view of the available materials on record and the nature and gravity of the accusation against the petitioner and since it is a case under section 376(2)(n) of the Indian Penal Code, section 6 of the POCSO Act and section 67 of the Information Technology Act, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

RKM

