

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1742 of 2022

Bhaskar Sahu

....

Petitioner

Mr.D.Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

06.05.2022

02. 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 for bail under section 439 of Cr.P.C. in connection with Bhanjanagar P.S. Case No.297 of 2019 corresponding to G.R. Case No.118 of 2019 pending in the Court of learned Addl. Sessions Judge -cum- Special Judge under POCSO Act, Berhampur for offences punishable under sections 376(AB) and 323 the Indian Penal Code and section 6 of POCSO Act.

The prayer for bail of the petitioner was rejected by the learned Special Judge (POCSO), Berhampur vide order dated 01.12.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 21.09.2019 and his earlier bail application in BLAPL No. 4090 of 2020 was rejected as per order dated 19.01.2021 and liberty was granted to the petitioner to renew the prayer for bail after examination of the victim in the learned trial Court. He further submitted that the victim has already been examined in the learned trial Court and therefore, the bail application of the petitioner may be favourably re-considered. Learned counsel for the petitioner has filed the deposition copy of the victim, which is taken on record.

Learned counsel for the State opposed the prayer for bail on the ground that the victim, who was aged about nine years at the time of occurrence, has been examined as P.W.6 in the learned trial Court and she has supported the prosecution case.

Considering the submissions made by the learned counsel for the respective parties, at this stage, while not inclining to release the petitioner on bail, I direct the learned trial Court to take expedite steps to conclude the trial within a period of six months from the date of receipt of a copy of the order.

The BLAPL is accordingly disposed of.

A copy of the order be communicated to the learned trial Court forthwith.

(S.K. Sahoo)
Judge

