

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1909 of 2022

Subhankar Paul

....

Petitioner

-versus-

State of Odisha and another

....

Opposite Parties

CORAM: JUSTICE S. PUJAHARI

ORDER

24.06.2022

Order

No.

02.

1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioner, the learned counsel for the State and the learned counsel for the Informant.
3. The Petitioner being in custody in T.R. Case No.2594 of 2018, arising out of Jatni P.S. Case No.360 of 2018, pending in the Court of Adhoc Additional Sessions Judge-cum-Fast Track Special Court, Bhubaneswar, has filed this petition for his release on bail. The offences alleged against him are punishable under Sections 376(3) and 506 of I.P.C. read with Sections 4 of the POCSO Act, 2012.

4. I have gone through the entire order sheets of the trial court. It appears that the trial court have no control on the counsels, as frequent adjournment is given in one pretext to other when the witnesses are remain present though it is a case triable by the court of sessions and the offence alleged is heinous and serious in nature, so also incriminating materials are available against the Petitioner. The Petitioner has contributed to the delay in disposal of the case.

5. Therefore, this Court is not inclined to release the Petitioner on bail on the ground of delay in disposal of the case.

6. Accordingly, the BLAPL stands dismissed.

7. However, trial court is directed to conclude the trial of the aforesaid case within six months hence positively. Prosecution shall also cause production of the remaining witnesses.

(S. Pujahari)
Judge

DA