

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 3249 OF 2022

Gobinda Behera

..... ***Petitioner***
Mr.B.K.Nayak, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr.K.K.Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
19.07.2022

Order No.

02.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with Dhanupali P.S. Case No. 138 of 2021 corresponding to Special G.R. Case No. 33 of 2021 pending on the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Sambalpur for the alleged commission of offence under Sections 363/376/376(3) of the I.P.C. and Section 4(2) of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr. P.C. by the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Sambalpur by order dated 16.03.2022, the present BLAPL has been filed.
5. Learned counsel for the Petitioner submits that there is no material on record to implicate the Petitioner and the same is on the basis of circumstantial evidence.

6. Learned counsel for the State relied on 164 Cr.P.C. statements of one Gajendra Balabanta Ray and the informant and opposes the prayer for bail.

7. Considering the nature of allegation and notwithstanding the period of custody, this Court is not inclined to entertain this BLAPL. Accordingly, the same stands rejected.

8. It shall be open to the Petitioner to renew his prayer at a later stage.

(V.Narasimha)
 Judge

Dhal

