

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3296 of 2022

Ajaya Kumar Naik

....

Petitioner

Mr. A.K. Sahoo, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. M. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.09.2022

Order No.

4.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. As directed, learned court below has submitted a report stating that out of 41 witnesses, 4 witnesses have been examined till 21.03.2022, where after the Presiding Officer was transferred and the new present Presiding Officer has joined on 08.08.2022, who is on training. It is further stated that despite repeated notices, victim and other witnesses have not turned up.
4. The petitioner is in custody since 07.09.2021 in connection with Reamal P.S. Case No.173 of 2021 corresponding to Special C.T. Case No.14 of 2021 pending in the Court of learned Addl. Session Judge-cum-Special Judge, Deogarh for the alleged commission of offence under Sections 363/376(2)(n)/294/323/506/384 of IPC read with Section 6 of POCSO Act.
5. Considering the submissions, materials on record and in particular the statement of the victim recorded under Section 164 Cr.P.C., I am inclined to allow the prayer for bail. Let the

petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

