

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4975 of 2022

Ajit Kumar Sahoo

....

Petitioner

Mr. A.K. Budhia, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
05.08.2022**

Order No.

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

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

Learned counsel for the petitioner submitted that earlier anticipatory bail application of the petitioner in ABLAPL No.735 of 2022 was disposed of as per order dated 03.02.2022 and while rejecting the application for anticipatory bail, the petitioner was permitted to surrender in the Court below and to move for bail, in the event of which the Courts below shall dispose of the same expeditiously. It is contended by the learned counsel for the petitioner that the petitioner entered appearance through his

Advocate in the Court of learned S.D.J.M., Bhadrak and filed an application to declare the petitioner as Juvenile and the learned S.D.J.M., Bhadrak as per the order dated 17.03.2022 came to hold that the petitioner has not completed the age of eighteen years on the date of occurrence i.e., 02.01.2022 for which the petitioner is a Child in Conflict with Law and the case record was directed to be submitted before the Juvenile Justice Board, Bhadrak. Learned counsel for the petitioner further submitted that the victim in the case has not sustained any injury. He produced the medical examination report, which is taken on record. It is further submitted by the learned counsel that the in view of the change in circumstances after rejection of the earlier anticipatory bail application, this anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the order dated 17.03.2022 passed by the learned S.D.J.M., Bhadrak in holding the petitioner as a Child in Conflict with law and submitting the case before the Juvenile Justice Board, Bhadrak, it is observed that in the event, the petitioner appears before the Board

on or before 31.08.2022 and moves an application for bail, the learned Board shall take into account section 12 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and dispose of the application on the very day.

With the aforesaid observation, the ABLAPL stands disposed of.

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

