

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3202 OF 2021

Kumar Bindhani

..... *Petitioner*
Mr. S.K. Dwibedi, Advocate

-versus-

State of Odisha & Anr.

..... *Opposite Parties*
Miss S. Mishra, ASC

CORAM:

JUSTICE V. NARASINGH

ORDER
26.04.2022

Order No.

08.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with T.R. Case No. 11 of 2021 corresponding to Dabugaon P.S. Case No. 16 of 2021, pending on the file of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Nabarangpur for the alleged commission of offence under Sections-363 / 366 / 376(2)(n)/376(3) of the IPC read with Section-6 of the POCSO Act & under Section-3(2)(v) SC/ST Act., and is in custody since 28.01.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Additional District & Sessions Judge-cum Special Court under POCSO Act,

Nabarangpur by Order dtd. 08.04.2021 in T.R. Case No. 11 of 2021, the present BLAPL has been filed.

4. Heard Mr. S.K. Dwibedi, learned counsel for the petitioner and Miss S. Mishra, learned Additional Standing Counsel for the State.

5. Learned counsel for the State that, on instruction submits that notice has been duly served on 21st May, 2021 on the Opposite Party No.2-informant.

6. There is no appearance on behalf of the Opposite Party No.2-informant at the time of call.

7. Considering the 164 Cr.P.C statements of the victim, taking into account that the Final Form has already been submitted and the petitioner is in custody since 28.01.2021, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. The Bail Application thus stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Judge*