

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4024 OF 2021

Sambhu @ Gopal Giri

..... *Petitioner*
Mr. P.C. Jena, Advocate

State of Odisha

-versus-

..... *Opposite Party*
Mr. S. Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
25.03.2022

Order No.
06.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with Special Case No. 126 of 2021 corresponding to Bhograi P.S. Case No. 113 of 2021, pending on the file of the learned Special Judge under POCSO Act, Balasore, for the alleged commission of offence under Sections-363/342/376/506/34 of the I.P.C, read with Section-3(1)(w)(i)(r) of the SC/ST (PA) Act. and is in custody since 10.05.2015.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Special Judge, Balasore (I/c) by Order dtd. 11.05.2021, the present BLAPL has been filed.

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

5. Taking into account the nature of allegation and in view of the fact that the charge-sheet has already been filed on 03.07.2021, this Court feels that the further continuance of the petitioner in custody is not warranted and his release would not affect the impending trial.

6. Hence, it is directed that the petitioner shall be released on bail in connection with Special Case No. 126 of 2021 corresponding to Bhograi P.S. Case No. 113 of 2021, pending on the file of the learned Special Judge under POCSO Act, Balasore, on such terms to be fixed by the learned Court in seisin of the matter..

7. The Bail Application thus stands disposed of.

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

Balaram

*(V.Narasingh)
Judge*