

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5093 of 2022

Biwambar Naik @ Bishwambar Naik

Petitioner

M/s. D.K. Mohanty, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
12.08.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Learned counsel for the State submits that notice on the informant/victim has been served on 09.07.2022. There is no appearance on behalf of Opposite Party No.2 when the matter is called.
4. The petitioner is an accused in S.A. Case no.05 of 2022, on the files of A.D.J.-cum-Special Judge, Nuapada, arising out of Nuapada P.S. Case No.70 of 2022, under Sections 363/366/376(3)/384/34 of IPC read with Section 4 of the POCSO Act and is in custody since 17.03.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-Spl. Judge, Nuapada, by

order dated 05.04.2022 in the aforementioned case, the present BLAPL has been filed.

6. Taking into account the 164 Cr.P.C. statement and the medical examination report and being cognizant of the fact that charge sheet has been filed on 13.05.2022, 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.

7. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge