

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4108 OF 2021

Prakash Behera

..... Petitioner
Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

..... Opposite Party
Miss S. Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.04.2022

Order No.

05.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with Special G.R. Case No. 46 of 2021 corresponding to Delanga P.S. Case No. 23 of 2021, pending on the file of the learned District Judge-Cum- Special Judge (POCSO), Puri for the alleged commission of offence under Sections-366/376(2)(n)/323/294/506 of IPC and r/w. Section-6 of the POCSO Act and is in custody since 13.02.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. District Judge-Cum-Special Court under POCSO Act, Puri. by Order dtd. 11.05.2021, the present BLAPL has been filed.
4. Heard Mr. B.K. Ragada, learned counsel for the petitioner and Miss S. Mishra, learned Additional Standing Counsel for the State.

5. There is no appearance on behalf of the informant, though the name of learned counsel appears in the cause list.

6. Learned counsel for the petitioner submits that his further detention is not warranted in the case at hand, since charge-sheet in the case has already been filed.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground that, from the statement of the victim recorded under Section- 164 Cr.P.C, the offence alleged is clearly made out against the petitioner.

8. Perused the statement of the victim examined as P.W.2 and considering that the charge-sheet has already been filed and the petitioner is in custody since 13.02.2021, this Court directs that the petitioner shall be released on bail, on such terms to be fixed by the learned Court in seisin of the matter.

9. The Bail Application thus stands disposed of.

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

Balaram

(V.Narasingh)
Judge