

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5144 of 2022

Bairagi Naik

....

Petitioner

Mr. S.R. Mula, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.07.2022

Order No.

03.

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 on instructions submits that copy has been served on 18.07.2022. There is no appearance on behalf of the informant when the matter is called.
4. The petitioner is an accused in connection with Special (POCSO) Case No.05 of 2021, on the files of learned Special Judge, Angul, arising out of Jarapada P.S. Case No.261 of 2020 under Sections 363/342/506/376(2)(n)/376(3)/34 of IPC and read with Section 6 of POCSO Act and is in custody since 13.01.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-Special Court, under POCSO Act, Angul, by order dated 28.09.2021 in the aforementioned case, the present BLAPL has been filed.
6. Pursued the 164 Cr.P.C. statement which is on record.

7. Considering the tenor of 164 Cr.P.C. statement and taking into account that charge sheet has already been filed, 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. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

Santoshi

(V. NARASINGH)
Judge

