

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4200 OF 2021

Ganesh Nayak

..... *Petitioner*
Mr. J.K. Panda, Advocate

State of Odisha

-versus-
..... *Opposite Parties*
Mr. K.K. Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
13.05.2022

Order No.
04.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 93 of 2020 corresponding to Berhampur Sadar P.S. Case No. 303 of 2020, pending on the file of the learned Addl. District Judge-cum-Special Court under POCSO Act, Berhampur for the alleged commission of offence under Sections-323/294/366/376(2)(n)/376(3) of the IPC read with Section-6 of the POCSO Act.
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, Berhampur by Order dtd.

19.05.2021 in G.R.No. 93 of 2020, the present BLAPL has been filed.

4. Learned counsel for the State submits that notice of this Application was served on the informant and the victim on 27.07.2021. There is no appearance on behalf of the informant and the victim at the time of call.

5. Heard Mr. J.K Panda, learned counsel for the petitioner and Mr. K.K. Gaya, learned Additional Standing Counsel for the State.

6. Perused the 164 Cr.P.C statement of the victim, taking into account the period of custody and that the charge-sheet in the case has already been filed in the meantime, 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, so as to ensure that the appearance of the present petitioner on each date of trial.

7. The Bail Application thus stands disposed of.

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

Balaram

*(V.Narasingh)
Judge*