

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 4258 OF 2021

Paul Sabar

..... ***Petitioner***
Mr. S.K.Dash, Adv.

-versus-

State of Odisha & another

..... ***Opposite Parties***
Mr. D.Mund, AGA

CORAM:
JUSTICE V. NARASINGH

ORDER
04.04.2022

Order No.
02.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with G.R. No. 16 of 2021 on the file of the learned Special Judge-cum-Additional Sessions Judge, Gajapati at Paralakhemundi, corresponding to Rayagada P.S. Case No. 28 of 2021 under Sections 363/376(3) of the IPC read with Sections 6 of the POCSO Act and the Petitioner is in custody since 19.05.2021.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Special Judge-cum-Additional Sessions Judge, Gajapati at Paralakhemundi by order dated 28.05.2021, the present BLAPL has been filed.
5. Learned counsel for the Petitioner submits that in view of the period in custody since 19.05.2021 and Charge-sheet having been filed, the Petitioner is entitled to be released on bail.

6. Learned counsel for the State opposes the prayer for bail.
7. Perused the 164 Cr.P.C. statement of the victim.
8. Considering the tenor of the 164 Cr.P.C. statement and taking into account that the Charge-sheet has been filed, this Court is of the considered opinion that directing release of the Petitioner will not impede the trial.
9. Hence, it is directed that the Petitioner shall be released on bail on such terms and conditions to be fixed by the court below in seisin over the matter.
10. Accordingly, the BLAPL is disposed of.
11. Issue urgent certified copy of this order as per rules.

(*V.Narasingh*)
Judge

Dhal

