

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4270 OF 2021

Dhapuni @ Rajnarayan Malik

..... Petitioner
Mr. Laxmidhar Dash, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. D. Mund, AGA

CORAM:

JUSTICE V. NARASINGH

ORDER
04.04.2022

Order No.

03.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with C.T. Spl (POCSO) No. 49 of 2021 corresponding to Dharmasala P.S. Case No. 143 of 2021, pending on the file of the learned Addl. Sessions Judge-Cum-Special Judge, Jajpur for the alleged commission of offence under Sections-363/366/376(20(n) of IPC and r/w. Section-6 of the POCSO Act and is in custody since 26.03.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge-Cum-Special Judge, Jajpur by Order dtd. 28.05.2021, the present BLAPL has been filed.

4. Heard Mr. Laxmidhar Dash, learned counsel for the petitioner and Mr. D. Mund, learned Additional Government Advocate for the State.

5. Learned counsel for the petitioner submits that the petitioner is entitled to be released on bail since the petitioner is in custody since 26.03.2021 and since the charge sheet has already been filed, there is no further justification in detaining the petitioner in custody.

6. Learned counsel for the State opposes the move for grant of bail of the petitioner.

7. Perused the 164 Cr.P.C. statement of the victim. And taking into account that, charge-sheet has already been filed, the period of detention, this Court directs the petitioner to be released on bail in connection with C.T. Spl (POCSO) No. 49 of 2021 corresponding to Dharmasala P.S. Case No. 143 of 2021, pending on the file of the learned Addl. Sessions Judge-Cum-Special Judge, Jajpur, on such terms to be fixed by the learned Court in seisin of the matter.

8. The Bail Application thus stands disposed of.

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

Balaram

*(V.Narasingh)
Judge*