

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.6720 OF 2022

Dibyaraj Nayak

.... ***Petitioner***
Mr. S.K. Mishra, Advocate

-versus-

State of Odisha & Another

.... ***Opposite Parties,***
Mr. S. Jena, ASC.

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
18.11.2022**

Order No.

02. 1. The matter is taken up through hybrid arrangement (physical/virtual) mode.
2. The Petitioner having been implicated in connection with Raikia P.S. Case No.04 of 2022 corresponding to C.T. Case No.02 of 2022 on the file of learned Addl. District Judge-cum-Special Judge, Phulbani for alleged commission of offence under Section-376(2)(n)/376(3) of the IPC read with Section-4(2) & 6 of the POCSO Act, has filed this application under Section-438 of the Cr.P.C. for his release on bail in the event of his arrest in the aforesaid case.
3. Heard learned counsel for the Petitioner and learned counsel for the State as well as learned Counsel for the Informant.
4. Considering the submissions made and on going through statement of the victim recorded under Section-164 of the Cr.P.C.; further keeping viewing the materials on record as also other surrounding circumstances, while being not inclined consider the prayer for grant of anticipatory bail to the Petitioner, this

application is disposed of with the observation that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case and moves for his release on bail, the same shall be considered on its own merit and disposed of early in accordance with law.

5. The ABLAPL is accordingly dismissed.
Issue urgent certified copy as per rules.

***(D. Dash),
Judge.***

Narayan

