

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL NO.5451 OF 2022

Satyaban Nayak

....

Petitioner

Mr. P.R. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K. Nayak, AGA

CORAM:

MR. JUSTICE D.DASH

Order

08.09.2022

Order No.

01.

1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the second journey of this Petitioner who is in custody in connection with Bhadrak Rural P.S. Case No.520 of 2017 corresponding to Spl. (POCSO) Case No.110 of 2017 pending on the file of the learned Additional Sessions Judge-cum-Special Judge, Bhadrak, running for the alleged commission of offence under sections-376(2)(I), 376(2)(n), I.P.C. read with section 3(1)(w)(i)/3(1)(w)(ii) of S.C. & S.T. (PA) Act & section 6 of the POCSO Act in filing this application for grant of bail in the above mentioned case.
3. Learned counsel for the Petitioner instead of pressing for hearing of the bail application on merit, prays for its disposal considering grant of interim bail to the Petitioner for some period. He submits that this Petitioner being arrested in connection with the above noted case is in custody since 03.11.2017. He further submits that due to such long detention of the Petitioner in custody, not only he but also his family members are suffering and the situation has now become such that the members of the family who depend upon

the Petitioner are no more in a position to continue without the help and support of the Petitioner. He therefore submits that presence of this Petitioner for some days at his home is very much necessary. He, therefore, urges for grant of interim bail to the Petitioner.

4. Learned counsel for the State opposes the move.

5. Considering the submissions made and further keeping in view the surrounding circumstances, it is directed that the Petitioner be released on interim bail for a period of eight weeks from the date of his actual release from custody or conclusion of trial whichever is earlier on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that he will appear in person before the trial court on the date fixed during the period and will surrender before the said court after expiry of the period of interim bail without fail.

6. The BLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

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