

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 4781 OF 2021

Akash Mahananda

..... *Petitioner*
Mr. S.Harichandan, Adv.

-versus-

State of Odisha

..... *Opposite Party*
Mr. K.K.Gayha, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
05.04.2022

Order No.
03.

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 Laikera P.S. Case No. 172 of 2020 corresponding to C.T.(Spl.) Case No. 60 of 2020 on the file of learned A.D.J.-cum-Special Court under POCSO Act, Jharsuguda, registered for the alleged commission of offence under Sections 363/294(b)/506/376(1)/34 of the IPC and Section 6 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned A.D.J.-cum-Special Court under POCSO Act, Jharsuguda by order dated 2.06.2021, the present BLAPL has been filed.
5. Learned counsel for the State on instruction submits that the notice has been duly served on Opposite Party No.2. In spite of service of notice none has appeared at the time of call.

6. A communication has been received from Opposite Party No.2 father of the victim opposing the move to grant bail.

7. Learned counsel for the Petitioner submits that since he is in custody from 5.5.2021 and Charge-sheet has already been filed on 26.08.2021, his further continuance is not warranted.

8. Learned counsel for the State opposes the prayer for bail inter alia stating that the Petitioner has taken advantage of the innocence of the victim and after keeping physical relationship with her has abandoned her.

9. Considering the rival submissions and the fact that the Petitioner is in custody since 5.5.2021 and on perusal of 164 Cr. P.C. Statement and medical examination report and being cognizant of the fact that the Charge-sheet has already been submitted, this Court directs that the Petitioner be released on bail in the above noted case on such terms to be fixed by the court in seisin of the matter including that the Petitioner shall appear before jurisdictional Police Station once every month till completion of the trial. The date of such appearance shall be fixed by the learned court below.

10. Accordingly, the BLAPL stands disposed of.

11. Issue urgent certified copy of this order as per Rules.

(*V.Narasingh*)
Judge

Dhal