

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL NO.5876 OF 2022

Gupate Podh

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

-versus-

State of Odisha

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

CORAM:
MR. JUSTICE D.DASH
ORDER

Order No.

08.12.2022

01. 1. This matter is taken up through hybrids arrangement (virtual/ physical) mode.
2. This is the successive journey of the Petitioner, who is in custody in connection with Titilagarh P.S. Case No.250 of 2015 corresponding to Special G.R. Case No.40 of 2015 pending on the file of learned 1st Addl. District Judge-cum-Special Court (POCSO), Bolangir, running for the commission of offence under section- 376(2) of the IPC read with section-6 of the POCSO Act, in filing this application under Section-439 Cr.P.C. for reconsideration of the prayer for grant of bail to the Petitioner in the above mentioned case.
3. Heard learned Counsel for the Petitioner and learned Counsel for the State.
5. Taking into account the submissions made; further keeping in view the surrounding circumstances especially, the period of detention of the Petitioner in custody; while being inclined to reconsider the prayer for grant bail to the Petitioner in the aforesaid case, it is directed that the Petitioner be released on bail on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that:-

1. he shall appear in person before the Court in seisin of the case on each and every date of posting of the case till conclusion of the trial;
2. shall appear before the Inspector-in-Charge of Titilagarh Police Station, in every Monday in between 10 am to 2 pm till conclusion of the trial; and
3. shall not indulge himself in commission of any criminal activity; and
4. shall not threaten or terrorize the prosecution witnesses.

Violation of any of the condition(s) shall entail cancellation of bail.

6. The BLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

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

Narayan

