

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5026 OF 2021

Manash Behera

..... *Petitioner*
Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

..... *Opposite Party*
Miss S. Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
12.04.2022

Order No.
03.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is accused in connection with Spl. C.T. Case No. 03 of 2021 corresponding to Reamal P.S. Case No. 67 of 2021, pending on the file of the learned Addl. District & Session Judge-cum-Special Judge, Deogarh for the alleged commission of offence under Sections-363/366/376 (2)(n) of the IPC and read with Section-6 of the POCSO Act and is in custody since 24.04.2021.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge, Patnagarh in Spl. G.R. No. 05 of 2021 by Order dtd. 03.05.2021, the present BLAPL has been filed.
4. Heard Mr. A.K. Sahoo, learned counsel for the petitioner and Miss S. Mishra, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioner submits that since charge sheet has been filed, further continuance of the petitioner in custody is not warranted in the facts of the present case.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that, from the statement of the victim recorded under Section- 164 Cr.P.C, the offence alleged is clearly made out against the petitioner.

7. Perused the 164 Cr.P.C statement of the victim and taking into account that, the charge-sheet has already been filed, this Court directs that the petitioner shall be released on bail, on such terms to be fixed by the learned Court in seisin over 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