

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6101 of 2020

Bika @ Bikash @ Deepak Bhoi

....

Petitioner

Mr. H.K. Biswal, Advocate

-versus-

State of Orissa

....

Opp. Party

Mr. P.K. Pattnaik, A.G.A.

**CORAM:
JUSTICE G. SATAPATHY**

ORDER

07.12.2022

Order No.

- 09.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Olatpur P.S. Case No.24 of 2020 corresponding to Spl. G.R. Case No. 19 of 2020 pending in the file of learned ADJ-Cum-Spl. Court under the POCSO Act, Cuttack for commission of offences punishable U/Ss. 376 (D)/313/354 of IPC, r/w Section-6 of the POCSO Act, on the allegation of committing Gang Rape and aggravated penetrative sexual assault upon the victim as also forcing the victim to keep physical relationship with another accused and aborting pregnancy of the victim.
 3. In the course of hearing of the bail application, Mr. P.K. Rout, learned counsel for the Petitioner submits that the Petitioner is a poor man and although he is in custody since last two years, but trial is yet to be concluded and all the allegations leveled against the Petitioner are false and motivated and, therefore, the Petitioner may kindly be released on bail.
 4. On contrary, Mr. P.K. Pattnaik, learned Counsel for the State

strongly opposes the bail application of the Petitioner.

5. Considering the rival submissions made, the nature and gravity of accusations raised against the Petitioner as also the gravity of offences alleged and taking into consideration the specific allegation against the Petitioner for committing Gang Rape and aggravated penetrative sexual assault upon the victim and keeping in view the other circumstances on record in entirety, this Court considers it undesirable to grant bail to the Petitioner.

6. Hence, the bail application of the Petitioner stands rejected. Trial be expedited as submitted by the learned counsel for the Petitioner.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(*G. Satapathy*)
Judge

Priyajit

