

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 6271 of 2022**

***Bubun Sethy***

....

***Petitioner***

Mr. S.K. Pattnaik, Advocate

*-versus-*

***State of Orissa & Another***

....

***Opposite Parties***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**02.09.2022**

**Order No.**

**02.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for State.
3. The petitioner is an accused in Special Case No.34 of 2022 arising out of Keonjhar Sadar P.S. Case No.116 of 2022, pending before the Court of learned Additional Sessions Judge -cum- Special Judge, Keonjhar, under Sections 363/376(3)/323/34 of IPC read with Section 6 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge -cum- Special Judge, Keonjhar, by order dated 30.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the State on instruction submits that the victim has received the notice on 09.08.2022, but there is no appearance on behalf of the victim/informant at the time of call.

6. Perused the 164 Cr.P.C. statement of the victim and the medical examination report.

7. On scrutiny of the materials on record vis-à-vis the allegations, this Court is not inclined to entertain this bail application at this stage, giving liberty to the petitioner to move afresh after examination of the victim.

8. Since it's a matter under the POCSO Act and the petitioner is in custody since 25.03.2022, learned Court in seisin over the matter is called upon to conclude the trial within a period of four months from the date of receipt/production of the copy of the order, in the event there is no progress during the trial, it shall be open to the petitioner to renew his prayer.

9. Accordingly the BLAPL stands rejected.

(V. NARASINGH)  
*Judge*

*Ayesha*

