

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 5391 OF 2021

Bimal Sahoo

..... ***Petitioner***
Mr. D.K.Mohanty, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr A. Pradhan, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
30.06.2022

Order No.

02.

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 Madanpur Rampur P.S. Case No. 157 of 2019 corresponding to C.T. Case No. 74 of 2019 pending on the file of learned Additional Sessions Judge-cum-Special Judge under POCSO Act, Bhawanipatna for the alleged commission of offence under Section 366/376-DA/394 of the I.P.C. 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 Additional Sessions Judge-cum-Special Judge under POCSO Act, Bhawanipatna by order dated 30.06.2021, the present BLAPL has been filed.

5. Learned counsel for the State on instruction submits that notice of the writ petition has been served on the informant.

6. There is no appearance on behalf of the informant when the matter is called.

7. Learned counsel for the petitioner places on record the deposition of the victim which indicates that she has resiled from her statement and has been declared hostile on the prayer of the prosecution. The deposition of the victim is taken on record.

8. Taking note of the conduct of the victim, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter so as to ensure his presence on each date of trial.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this be granted as per rules.

(V.Narasingh)
Judge