

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6316 of 2022

Balaram Dandasena

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Learned counsel for the State on instructions submits that notice of the application was served on the victim/informant on 04.08.2022.
4. There is no appearance on behalf of the informant/victim when the matter is called.
5. The petitioner is an accused in SPL. G.R. Case No.02 of 2022 pending in the file of learned Additional Sessions Judge-cum-Special Judge, Sonapur, arising out of Dunguripali P.S. Case No.026 of 2022, offence under Sections 376(2)(n)/376(3) of the IPC read with Section 6 of the POCSO Act and is in custody since 30.03.2022.

6. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Children's Court, Sonepur by order dated 11.04.2022 in the aforementioned case, the present BLAPL has been filed.
7. Perused the 164 Cr.P.C. statement of the Victim.
8. Considering the tenor thereof and keeping in view that charge sheet has been filed on 27.03.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Santoshi

