

',
IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 5474 OF 2021

Bhola nath Sahani

..... ***Petitioner***
Mr. J.Sahoo, Adv.

-versus-

State of Odisha &another

..... ***Opposite Parties***
Mr. K.K.Gaya,ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
09.05.2022

Order No.
06.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner, learned counsel for the informant and learned Addl. Standing Counsel for the State.
3. The Petitioner is an accused in connection with G.R. Case No. 64 of 2021 arising out of Khallikote P.S. Case No. 165 of 2021 on the file of learned ADJ-cum- Special Court under the POCSO Act, Berhampur, registered for the alleged commission of offence under Sections 376(3)/ 376(2)(n) of the I.P.C. read with 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 ADJ-cum-Special Court under the POCSO Act, Berhampur, by order dated 01.07.2021, the present BLAPL has been filed.

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

6. Taking into account that charge sheet has already been submitted on 31.04.2021, this Court feels that further continuance of the petitioner in custody is unwarranted. Hence, it is directed that the petitioner shall be released on bail. Terms to be fixed by the learned court in seisin over the matter so as to ensure the presence of the petitioner on each date of trial.

07. Accordingly, the BLAPL stands disposed of.

08. Issue urgent certified copy of this order as per Rules.

Dhal

