

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6536 of 2022

Pradeep Mukhi

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.09.2022

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 instruction submits that notice has been served on 30.08.2022. There is no appearance on behalf of the informant/victim when the matter is called.
4. The petitioner is an accused in Special Case No.121 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge, Balasore, arising out of Basta P.S. Case No.133 of 2022, under Section 363/376(3) of the IPC read with Section 4 & 6 of the POCSO Act.
5. 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, Balasore by order dated 29.06.2022 in the aforementioned case, the present BLAPL has been filed.

6. Perused the 164 Cr.P.C statement of the victim.
7. Considering the tenor thereof and keeping in view that charge sheet has already been filed in the case at hand on 25.07.2022 and the petitioner is in custody since 28.05.2022, 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge



Santoshi