

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6741 of 2022

Nigam Nayak

....

Petitioner

Mr. R. Achary, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.10.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.30 of 2022 pending in the file of learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Phulbani arising out of Phiringia P.S. Case No.85 of 2022, offence under Sections 363/366/376(3)/376 (DA)/328 of IPC read with Section 17 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Phulbani by order dated 27.06.2022 in the aforementioned case, the present BLAPL has been filed.

5. Taking into account the nature of allegation, the statement of the victim, this Court is **not inclined** to entertain this bail application at this stage.

6. It shall be open to the petitioner to move the learned Court in seisin over the matter after examination of the victim and same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge



Santoshi