

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6742 of 2022

Nagen @ Kapila Naik

....

Petitioner

Mr. D.P. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.11.2022

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. The petitioner is an accused in Special Case (POCSO) No.5 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge (POCSO), Boudh, arising out of Puruna Katak P.S. Case No.79 of 2022, offence under Sections 376(2)(n)/354 of IPC and 6 of the POCSO Act and is in custody since 13.06.2022.
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, Boudh by order dated 29.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim.

6. Considering the tenor thereof and taking into account the submissions of the learned counsel for the petitioner, 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.

7. Accordingly the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

