

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6779 of 2022

Ajay Das @ Mallick

....

Petitioner

Mr. S. Mohapatra, Advocate

-versus-

State of Odisha & Another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

20.09.2022

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. The petitioner is accused in Kharvelnagar P.S. Case No.187 of 2022 corresponding to T.R. Case No.242 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge (POCSO), Bhubaneswar, for alleged commission of offences under Sections 342/354/354-A/323/363 of IPC read with Section 8 of POCSO Act.
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 (POCSO), Bhubaneswar, by order dated 07.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim and that of her grandfather aged about 70 years.

6. It is submitted learned counsel for the petitioner that since the petitioner is in custody since 28.06.2022 and as charge-sheet has been filed on 04.07.2022, further continuance of the petitioner in custody is punitive.

7. Considering the nature of the allegations and the fiduciary relationship that the accused had with the petitioner, this Court is **not inclined** to entertain the bail application of the petitioner.

8. It shall be open to the petitioner to renew his prayer at a later stage.

9. Accordingly, the BLAPL stands disposed of.

Ayesha

