

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5869 OF 2021

Chandan Behera

***..... Petitioner
Mr. Susanta Kumar Tripathy,
Advocate***

-versus-

State of Odisha & Another

***..... Opposite Parties
Mr. P. Mohapatra, ASC
Mr. S. N. Mishra, Advocate for the
informant***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
11.05.2022**

**Order No.
03.**

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with Spl. Case No. 53 of 2021 corresponding to Balasore P.S. Case No. 233 of 2020, pending on the file of the learned Special Judge, Balasore for the alleged commission of offence under Sections-363/366/376(3) of the IPC, read with Section-6 of POCSO Act, and the petitioner is in custody since 22.02.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. Dist. Judge-cum-Special Judge, Balasore by Order dtd. 19.04.2021 in Spl. Case No. 53 of 2021, the present BLAPL has been filed.
4. Heard Mr. S.K. Tripathy, learned counsel for the petitioner, Mr. K.K. Gaya, learned Additional standing Counsel

for the State and Mr. S.N. Mishra, learned counsel for the informant.

5. On perusal of the 164 Cr.P.C. statement of the victim, considering the material on record and taking into account that the charge-sheet has already been filed in the meanwhile, this Court directs that, the petitioner to be released on bail on such terms and conditions to be fixed by the learned Court in seisin over the matter

6. The Bail Application thus stands disposed of.

7. Urgent certified copy of this order be granted as per rule.

Balaram



*(V.Narasingh)
Judge*