

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5772 OF 2020

***Soumyaranjan Pradhan @ Kasinath @ Kasi* *Petitioner*
*Mr. Arijeet. Mishra, Advocate***

***State of Odisha* *Opposite Party*
*Miss S. Mishra, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
28.03.2022**

**Order No.
09.**

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with C.T. Spl. (POCSO) No. 08 of 2020 corresponding to Tomaka P.S. Case No. 03 of 2020, pending on the file of the learned Addl. Sessions Judge-Cum-Special Judge, Jajpur, for the alleged commission of offence under Sections-363/366/376(2)(n)/376(3) of IPC and Section-6 of POCSO Act and is in custody since 18.01.2020.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge-Cum-Special Judge, Jajpur by Order dtd. 13.08.2020, the present BLAPL has been filed.

4. Learned counsel for the State on instruction submits that, notice of this application has already been served on the informant-Opposite Party No.2. on 10.01.2021 but there is no appearance on behalf of the informant when the matter is called.

5. Heard Mr. Arijeet Mishra, learned counsel for the petitioner and Miss S. Mishra, learned counsel for the State.

6. Perused the statement under Section- 164 Cr.P.C of the victim.

7. Taking into account the age of the petitioner and since the charge-sheet is stated to have been filed on 25.02.2020, this Court feels further continuance of the petitioner in custody is not warranted.

8. The submission of the learned Counsel for the State that, his release on bail will affect the impending trial appearance to be illusory.

9. Hence it is directed that the petitioner shall be released on bail in connection with C.T. Spl. (POCSO) No. 08 of 2020 corresponding to Tomaka P.S. Case No. 03 of 2020, pending on the file of the learned Addl. Sessions Judge-Cum-Special Judge, Jajpur, on such terms to be fixed by the learned Court in seisin of the matter.

10. The Bail Application thus stands disposed of.

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