

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6946 of 2022

Shyama Ratei

....

Petitioner

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

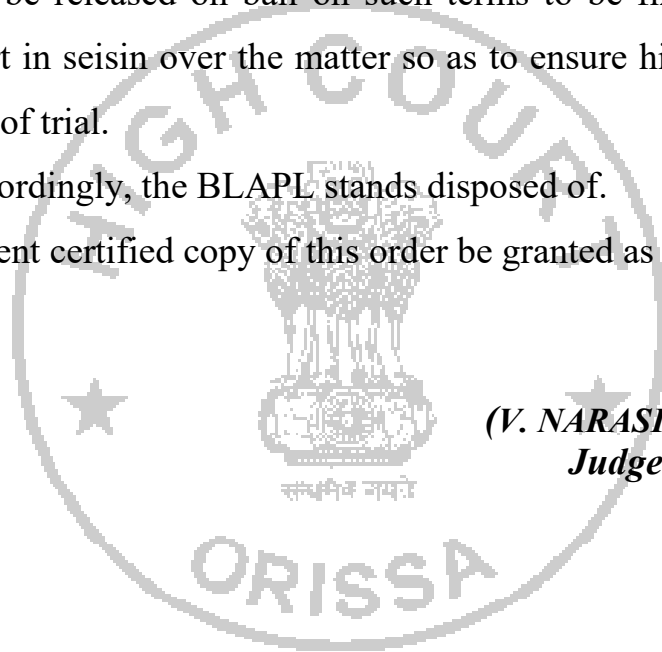
Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. It is submitted by the learned counsel for the State on instructions that the notice was served on 17.09.2022. There is no appearance on behalf of the informant/victim when the matter is called.
4. The petitioner is an accused in G.R. Case No.72 of 2020, pending in the file of learned Special Judge, POCSO, Balangir, arising out of Muribahal P.S. Case No.209 of 2020, alleged offence under Sections 363/376(2)(n)/323/506/34 of IPC read with Section 6 of the POCSO Act and is in custody since 19.08.2020.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District Judge-cum-Spl.

Court under POCSO Act, Balangir by order dated 03.06.2022 in the
aforementioned case, the present BLAPL has been filed.

6. Perused the statement of victim examined as P.W.1.
7. It is submitted that though the petitioner is in custody since
19.08.2020 only 4 witnesses have been examined last of which is
07.09.2021 and there is no progress in the trial.
8. Taking into account the tardy progress in the trial and the
statement of the victim noted herein above, 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 so as to ensure his presence
on each date of trial.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rules.



Santoshi