

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7021 of 2022

Krushna Chandra Digal

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2022

Order No.

01.

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 C.T. Case No.41 of 2022, on the files of Additional Sessions Judge-cum-Special Judge (POCSO), Phulbani, arising out of Khajuripada P.S. case No.134 of 2021, under 363/366/376(2)(n) of the IPC read with Section 6 of the POCSO Act and is in custody since 12.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District and Sessions Judge-cum-Special Court under POCSO Act, Phulbani, by order dated 18.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

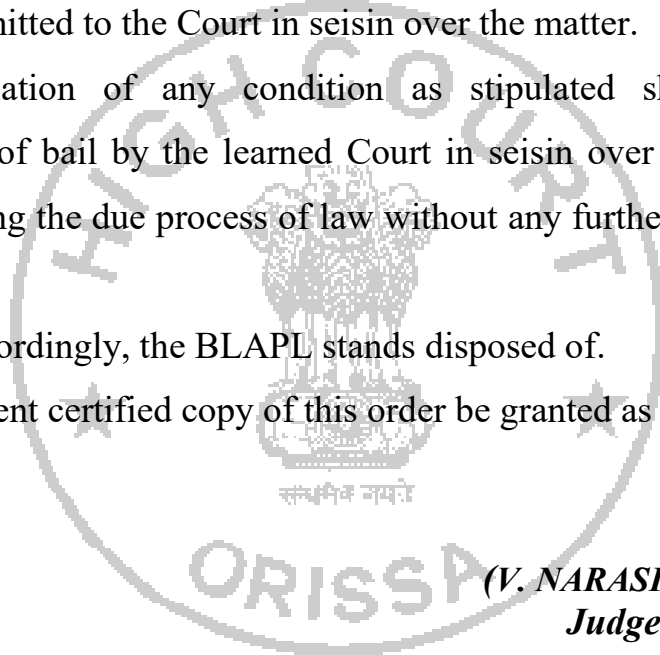
6. Taking into account the tenor of the 164 Cr.P.C. statement as noted by the rejection order and keeping in view the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

7. Additionally, it is directed that petitioner shall appear twice a week before the jurisdictional police Station till the submission of final form and shall not in any way try to contact or threaten the victim or her family. Certification of such appearance shall be submitted to the Court in seisin over the matter.

8. Violation of any condition as stipulated shall entail cancellation of bail by the learned Court in seisin over the matter after following the due process of law without any further reference of this Court.

9. Accordingly, the BLAPL stands disposed of.

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



Santoshi