

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 7055 of 2022**

***Dinesh Kumar Nayak***

....

***Petitioner***

Mr. S.K. Mohanty, Advocate

*-versus-*

***State of Orissa & 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 Seskhal P.S. Case No.52 dtd. 30.04.2022 corresponding to T.R. Case No.18 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Rayagada, for alleged commission of offences under Sections 376(3)/376(2)(n) of the IPC read with Section 4(2)/6 of POCSO Act and Section 3(1)(r)(s)/3(i)(w) of SC & ST (Prevention of Atrocities) Act and Section 66(C)/66(D)/67 of the I.T. 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 Court under POCSO Act, Rayagada, by order dated 18.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim.

6. It is submitted that the petitioner is in custody since 01.05.2022 and charge-sheet has already been filed on 30.04.2022.

7. It is submitted by the learned counsel for the petitioner that though F.I.R. was filed under different Sections of the I.T. Act but while filing the charge-sheet the petitioner has been absolved of the accusation of the I.T. Act.

8. Taking note of the same and the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

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

*Ayesha*

