

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6265 of 2021

Anirudha Gond

.... ***Petitioner***
M/s.S.Dwibedi, Advocate

-versus-

State of Orissa & another

.... ***Opp. Parties***
M/s.S.N.Das, A.S.C.

CORAM:

JUSTICE G. SATAPATHY

ORDER

08.09.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Jharigaon P.S. Case No.78 of 2021 corresponding to T.R. Case No.53 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Nabarangpur for commission of offence punishable U/Ss. 376(2)(n)/376(3)/313/506 of I.P.C. read with Section 6 of the POCSO Act.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that since the petitioner is inside the custody with effect from 28.5.2021 and trial having commenced including examination of the victim, there remains nothing to raise apprehension about the tampering of the evidence and the petitioner, therefore, may kindly be released on bail.
 4. On contrary, learned counsel for the State, while opposing the bail application of the petitioner submits that since this is a case under section 376 of I.P.C. and the victim has supported the case of prosecution. Hence, it would not be proper to enlarge the petitioner on bail which will facilitate him to flee away from the justice.
 5. Considering the nature and gravity of accusations and taking into consideration the evidence of the victim already examined by the learned

trial Court and keeping in view the age of the victim to be 17 years at present and the occurrence having allegedly taken place about four years back, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner stands rejected. At this point, learned counsel for the petitioner submits for expeditious disposal of the case. In view of such prayer, the learned trial Court is requested to dispose of the case as expeditiously as possible preferably within a period of six months.

6. Accordingly, the BLAPL stands disposed of.
7. Urgent certified copy of the order be granted on proper application.

(G. Satapathy)
Judge

Kishore

