

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7289 of 2022

Raju Dalei

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.10.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the State, on instruction, submits that the notice has been served on the victim/informant on 09.10.2022. But there is non appearance on behalf of the victim/informant, when the matter is called.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. The Petitioner is an accused in Special Case No.24 of 2022 pending in the file of learned Addl. District Judge-cum-Special Judge, Balasore, arising out of Khantapada P.S Case No.22 of 2022, for offence under Sections 376(2)(n)/376(3)/294/506/363 IPC and Section 6 of the POCSO Act and is in custody since 25.01.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District Judge-cum-Special

Judge, Balasore by order dated 19.07.2022 in the aforementioned case, the present BLAPL has been filed.

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

7. Taking into account the filing of the charge sheet on 23.05.2022, which is taken on record, 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 and to ensure his presence on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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

PKS

