

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7351 OF 2022

Roshan Hati

**..... *Petitioner*
*Mr. B.K.Dash, Adv.***

-versus-

State of Odisha

**..... *Opposite Parties*
*Mr.K.K.Gaya, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
24.08.2022**

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
4. The petitioner is an accused in connection with Special G.R. Case No. 36 of 2022 arising out of Rairakhol P.S. Case No. 123 of 2022, pending on the file of the learned Addl. Sessions Judge-cum-Special Court (under POCSO Act) Sambalpur, for the alleged commission of offence under Sections 363/ 366/ 376(2)(n) of the I.P.C. read with Sections 4 of the POCSO Act.
5. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Court (under POCSO Act) Sambalpur by Order dtd.14.07.2022, the present BLAPL has been filed.
6. Learned counsel for the petitioner submits that the petitioner has no criminal proclivity.

7. Perused the 164 Cr.P.C. statement of the victim.
8. Taking into account the tenor thereof and considering that the Charge-sheet has already been filed, 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.
9. While so releasing the learned court in seisin over the matter to check the veracity of the submission of the learned counsel for the petitioner regarding the criminal proclivity. If it comes to the fore that the petitioner has any criminal proclivity, the present order shall stands recalled.
10. The BLAPL thus stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

Dhal

(*V.Narasingh*)
Judge

