

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7404 of 2022

Tapan Behera

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. In spite of service of notice on the victim, none appears for the victim 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.33 of 2022 pending in the file of learned Addl. District Judge-cum-Special Judge, Balasore, arising out of Baliapal P.S. Case No.36 of 2022, for offences under Sections 363/366/376(3) IPC and Section 4 of the POCSO Act and is in custody since 16.05.2022.
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 21.07.2022 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 that the Petitioner is in custody since 16.05.2022 and filing of the charge sheet in the meanwhile, 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

PKS

