

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7596 of 2022

Tuna @ Muna Behera

....

Petitioner

Mr. P.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

31.10.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the State, on instruction, submits that in spite of service of notice on the informant/victim on 06.10.2022, none appears for the informant/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 G.R. Case No.26 of 2022 pending on the file of learned Addl. Sessions Judge-cum-Special Judge, Deogarh, arising out of Reamal P.S. Case No.278 of 2022, for commission of the alleged offence under Sections 363/376(2)(n)(3) IPC and Sections 4(2)/6 of the POCSO Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Deogarh by order dated 12.07.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 21.06.2022 and as investigation has substantially progressed, his further continuance in custody is unwarranted.

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

8. Considering the tenor thereof, 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. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every two weeks till submission of final form.

10. The BLAPL thus stands disposed of.

11. Urgent certified copy of this order be granted as per rules.

PKS

(V. NARASINGH)
Judge