

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7612 of 2022

Gangadhar Gochhayat

....

Petitioner

Mr. S.N.Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner is an accused in Special (POCSO) Case No.47 of 2022 pending on the file of learned Addl. District & Sessions Judge-cum-Special Court under POCSO Act, Bhadrak, arising out of Basudevapur P.S Case No.242 of 2022, for commission of the offence under Sections 341/354(A)/354(B)/506/34 IPC and Section 8 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District & Sessions Judge-cum-Special Court under POCSO Act, Bhadrak by order dated 01.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the consideration by the learned Court in seisin over the matter was prior to filing of the final form and in the meanwhile charge sheet

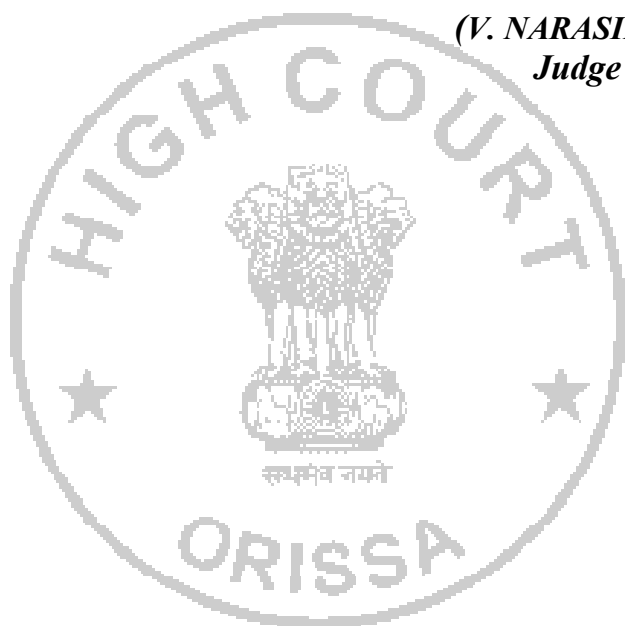
has been filed, hence, in fitness of things, learned Court in seisin may re-examine the matter.

6. Learned Court in seisin over the matter is requested to evaluate the materials vis-à-vis the Petitioner independently on its own merits without being influenced by the earlier rejection or the order passed by this Court.

7. Accordingly, the BLAPL stands disposed of.

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

PKS



(V. NARASINGH)
Judge