

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7647 of 2022

Rabi @ Rabi Narayan Rout

Petitioner

Mr. B.C. Ghadei, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

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 G.R. Case No.108 of 2022, pending in the file of learned A.D.J.-cum-Special Court POCSO, Cuttack, arising out of Kandarpur P.S. Case No.124 of 2022, offence under Sections 363/365/376(2)(n) of IPC read with Section 6 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack by order dated 06.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim.

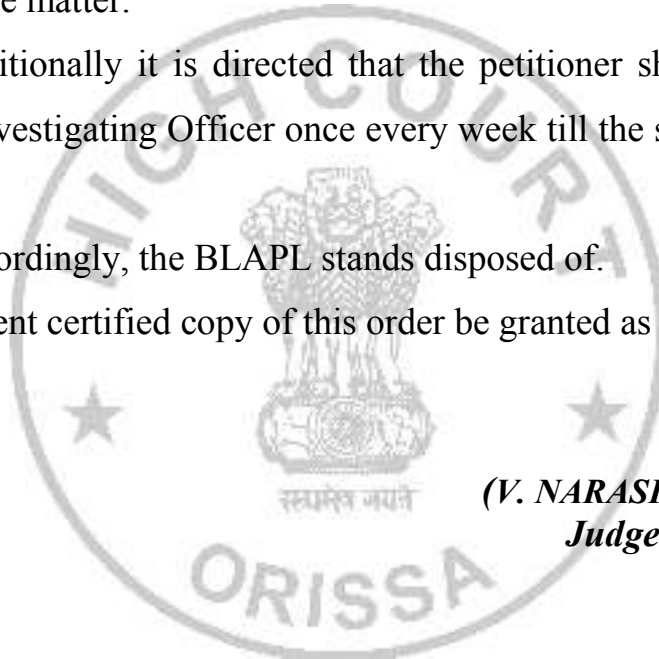
6. It is submitted by the learned counsel for the petitioner that there are serious discrepancies in the 161 Cr.P.C. statement recorded at the earlier in point of time and the present 164 Cr.P.C. statement. This Court had occasion to peruse the same.

7. Considering that the investigation has progressed substantially and the nature of the statements as made under 161 Cr.P.C. as well as 164 Cr.P.C., 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. Additionally it is directed that the petitioner shall appear before the Investigating Officer once every week till the submission of final form.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge