

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7655 of 2022

Amulya Pradhani

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.09.2022

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 C.T. Case No.35 of 2019 pending in the file of learned Additional Sessions Judge-cum-Special Judge (POCSO), Phulbani, arising out of Belghar P.S. Case No.18 of 2019, offence under Sections 376(3) of IPC read with Section 6 of the POCSO Act and Section 3(2)(va) of the S.C. & S.T. (PoA) Act and is in custody since 18.07.2019.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District and Sessions Judge-cum-Special Court under POCSO Act, Phulbani by order dated 13.09.2021 in the aforementioned case, the present BLAPL has been filed.
5. Perused the status report submitted by the learned Additional Sessions Judge-cum-Special Court (POCSO) Act Phulbani that out of 42 charge sheeted witnesses, 19 witnesses were proposed by the Special P.P. to be examined on behalf of the

prosecution and out of the said 19, 4 witnesses have been examined including the victim and the informant.

6. Learned counsel for the petitioner placed on record the statement of the victim examined as P.W.1. On perusal of the same and taking into account the period of custody, 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 so as to ensure his presence on each date of trial.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

