

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7706 of 2022

Raja Mahalik

....

Petitioner

Mr. P.K. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

09.12.2022

Order No.

05.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in Special Case No.70 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge (POCSO), Balasore, arising out of Khantapada P.S. Case No.93 of 2022, for commission of alleged offences under Sections 366/376(2)(n)/506/34 of IPC read with Section 6 of POCSO Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-Special Court under POCSO Act, Balasore, by order dated 28.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 20.03.2022 and since charge-sheet has been filed on 15.10.2022, further continuance of the petitioner in custody is unwarranted.
5. Learned counsel for the State opposes the prayer for bail.
6. Perused the 164 Cr.P.C. statement of the victim.

7. 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Ayesha

