

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7707 of 2022

***Gokula Naik @ Nahak and
another***

Petitioners

Mr. B. Sahoo, Advocate

-versus-

State of Odisha

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
29.08.2022**

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in G.R. Case No.423 of 2022, pending in the file of learned Additional Sessions Judge-cum-Spl. Judge under POCSO Act, Nayagarh, arising out of Nayagarh Sadar P.S. Case No.98 of 2022 under Section 498-A/304-B/302/34 of IPC read with Section 4 of the Dowry Prohibition Act, 1961 and Section 17 of POCSO Act and is in custody since 29.06.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Spl. Judge under POCSO Act, Nayagarh by order dated 29.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. The consideration by the learned Court in seisin over the matter was during the course of investigation.

6. The petitioner is at liberty to move the learned Court below after filing of charge sheet. The same shall be considered 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.

(V. NARASINGH)
Judge

Santoshi

