

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7722 of 2022

Sribanta Kanhar

....

Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. 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 petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.314 of 2022, pending in the file of learned S.D.J.M. Phulbani, arising out of Khajuripada P.S. Case No.61 of 2022 under Section 376(2)(I) of IPC.
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-Spl. Court under POCSO Act, Phulbani by order dated 04.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Victim is stated to be mentally challenged.
6. Learned counsel for the petitioner submits that because of family enmity the case has been falsely foisted using the victim.

7. Perused the 164 Cr.P.C. statement of the victim. This Court is not inclined to entertain this bail application at this stage. Accordingly, the same stands rejected.
8. It shall be open to the petitioner to move this Court after examination of the victim.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi

