

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7777 of 2022

***Santosh Kumar Behera @
Muna & Another***

....

Petitioners

Mr. A.S. Paul, 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 petitioners and learned counsel for the State.
3. The petitioners are an accused in Angul P.S. Case No.125 of 2016 corresponding to Spl. POCSO Case No.32 of 2016, pending in the Court of learned Adhoc Additional District & Sessions Judge, (FTSC), Angul, under Sections 363/376(2)(n)/307/114/120-B/34 of IPC read with Section 6 of the POCSO Act.
4. Being aggrieved by the Rejection of their application for bail U/s.439 Cr.P.C. by the learned Adhoc Additional District & Sessions Judge, (FTSC), Angul, by order dated 01.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. For non appearance on the date fixed in terms of the earlier order passed by this Court in ABLAPL No.4262 of 2016 by order dated 03.05.2016, the petitioners were taken into custody on execution of warrant.

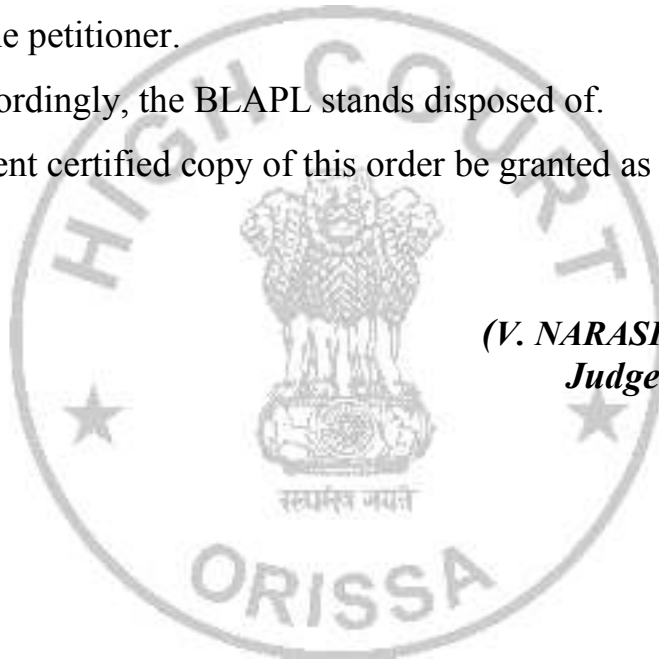
6. It is submitted by learned counsel for the petitioners that non appearance was for reasons beyond the control of the petitioners and there are no willful laches or negligence in not appearing in Court on each date of proceeding as directed by this Court earlier.

7. Taking note of the submission made by the learned counsel for the petitioners, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin over the matter to ensure their presence on each date of trial, Additionally it is directed that one of the sureties shall be immediate family member of the petitioner.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge