

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7778 of 2022

Bhagat Ram Gouda

....

Petitioner

Mr. T.K. Mishra, Advocate

-versus-

State of Odisha & Another

....

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.11.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. Learned counsel for the petitioner is permitted to correct the name of the petitioner in Court today.
4. The petitioner is an accused in connection with T.R. Case No.37 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Koraput at Jeypore, arising out of Jeypore Sadar P.S. Case No.97 of 2022, for commission of offences under Sections 363/376(3)(n) of IPC read with Section 4(2) of POCSO Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned P.O., Special Court under POCSO Act, Jeypore, by order dated 05.08.2022 in the aforementioned case, the present BLAPL has been filed.

6. Notice is stated to have been served on 27.09.2022. There is no appearance on behalf of the informant/victim when the matter is called.

7. It is submitted by the learned counsel that the petitioner is in custody since 23.04.2022 and since charge-sheet has already been filed on 02.06.2022, further continuance of the petitioner in custody is unwarranted.

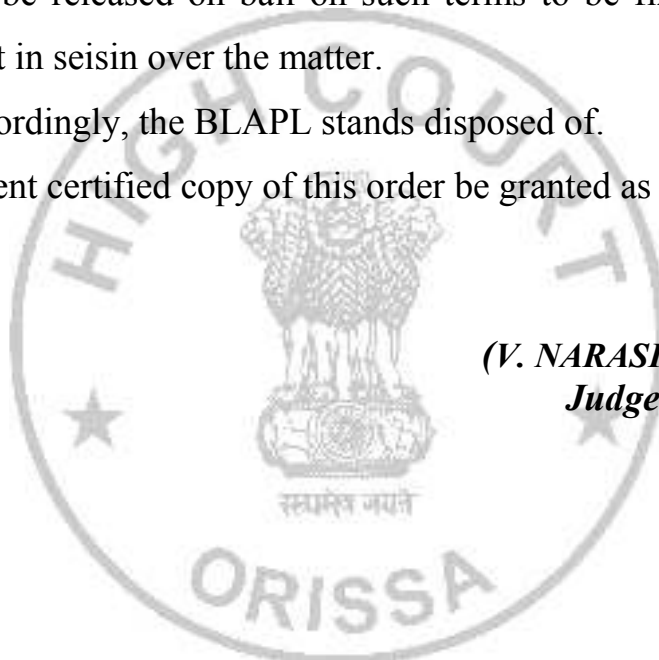
8. Perused the 164 Cr.P.C. statement of the victim.

9. 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.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge