

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7848 of 2022

***Goutam Naik @ Goutam
Kumar Naik***

....

Petitioner

Mr. B.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
30.08.2022**

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. Mr. P.K. Behera, learned counsel for the informant submits that he has filed Vakalatnama. Registry is requested to trace the same and tag with the file. Name of learned counsel for the informant be reflected on the file as well as in the cause list.
4. The petitioner is an accused in Spl. G.R. Case No.146 of 2021, pending in the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Nayagarh, arising out of Odagaon P.S. Case No.120 of 2021 under Section 376(2)(n)/294/506/34 of IPC read with Section 4 of POCSO Act and is in custody since 16.07.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-

Special Court under POCSO Act, Nayagarh by order dated 29.07.2022 in the aforementioned case, the present BLAPL has been filed.

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

7. It is submitted by the learned counsel for the petitioner that because of the nature of allegations since he is in custody since 16.07.2022 his further continuance in custody is not justified.

8. Learned counsel for the State as well as for the informant submits that keeping in view the nature of allegations the petitioner ought not to be released on bail and the investigation is yet to be concluded.

9. Considering the tenor of the 164 Cr.P.C. statement and considering that investigation has progressed substantially this Court feels that ends of justice will be subserved to the petitioner is directed to be released on bail. The learned Court in seisin to fix the terms.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi