

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7869 of 2022

***Samim Warish @ Sabir @
Monty***

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
02.09.2022**

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.1832 of 2022, pending in the file of learned S.D.J.M. Jharsuguda, arising out of Jharsuguda P.S. Case No.398 of 2022, offence under Sections 377/294/506 of IPC read with Section 18(d) of Transgender Persons (Protection of Rights) Act 2019 and is in custody since 16.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-Special Court under POCSO Act, Jharsuguda by order dated 10.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C statement of the victim.
6. Taking into account the tenor of the same and the punishment prescribed and the period of custody, 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.

7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi

