

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7908 of 2022

Prakash Nayak

....

Petitioner

Mr. B.R. Mohanty, Advocate

-versus-

State of Odisha & another

....

Opposite Parties

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the State submits that the notice on the victim has been served. In spite of service of notice, the victim has not appeared.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. The Petitioner is an accused in Special Case No.307 of 2021 pending in the file of learned Ad hoc Addl. Sessions Judge-cum-Special Judge (FTC), Balasore, arising out of Singla P.S. Case No.175 of 2021, for offence under Sections 363/366/376(2)(n)/376(3) IPC and Section 6 of the POCSO Act and is in custody since 10.11.2021.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District Judge-cum-Special

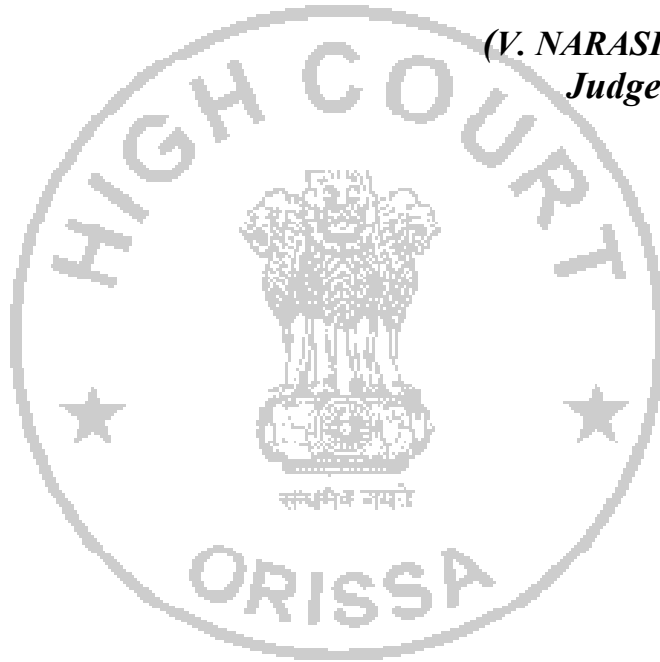
Judge, Balasore by order dated 11.03.2022 in the aforementioned case, the present BLAPL has been filed.

6. Taking into account that the charge sheet has been filed on 5.1.2022 and the Petitioner is in custody since 10.11.2021, 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.

PKS



(V. NARASINGH)
Judge