

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7931 of 2022

Sudhir Kumar Mallick

....

Petitioner

Mr. B.M. Bhuyan, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.10.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. It is submitted by the learned counsel for the State on instruction that notice has been served on the informant/victim on 09.10.2022. There is no appearance for the informant/victim when the matter is called.
4. The petitioner is an accused in Spl. G.R. Case No.47 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack, arising out of Chauliaganj P.S. Case No.111 of 2022, offence under Sections 376(AB)/376(2)(n) and 506 of IPC and Section 6 of the POCSO Act.
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, Cuttack by order dated 11.08.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 27.04.2022 and charge sheet has been filed on 14.06.2022, further continuance of the petitioner in custody is not warranted.

7. Learned counsel for the State opposes the prayer for bail.

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

9. Considering the tenor thereof and taking into account the period of custody and filing of charge sheet, 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 rules.

(V. NARASINGH)
Judge