

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6926 of 2021

Biju @ Maheswar Samal

..... Petitioner
Mr.J.K. Majhi, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr.K.K. Nayak, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
10.03.2022

Order No.

04. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Khantapada P.S. Case No.38 of 2021, corresponding to Spl. Case No.36 of 2021, pending in the file of learned Special Judge (POCSO) Balasore, for commission of alleged offences under Sections 376(3)/506 of IPC r/w Section 6 of POCSO Act.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. Learned counsel for the Petitioner submits Petitioner does not want to press this bail application at this stage. Further he seeks liberty to move a fresh bail application in the event the trial is not concluded within a stipulated time as fixed by this Court.

5. Learned counsel for the State has no objection if the trial court is directed for early disposal of the trial in the above case.

6. In such view of the matter, the BLAPL is disposed of as withdrawn with liberty as prayed for. However, this Court directs the trial court to conclude the trial of the above case, as expeditiously as possible, preferably within a period of four months. In the event trial is not concluded within the time specified above, Petitioner is at liberty to file fresh bail application. In such event, the trial court shall consider the bail application of the Petitioner in accordance with law without being influenced by any other factor.

7. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge