

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7020 of 2021

Kishor Tirkey

....

Petitioner

Mr. D.K. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.02.2022

Order No.

04.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the record as well as F.I.R.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in Special G.R. Case No.32 of 2020 arising out of Biramitrapur P.S. Case No.27 of 2020 on the file of learned A.D.J.-cum-P.O. Special Court (POCSO), Sundargarh for commission of offences punishable under Sections 376(AB)/450, I.P.C. and Section 6 of the POCSO Act, 2012.
5. Learned counsel for the Petitioner submits that the rejection order which was passed in the present case was prior to filing of charge-sheet. He further seeks liberty to withdraw the present bail application and move a fresh bail application before the court below after filing of charge-sheet.
6. Considering the submissions and the materials available on record, the Petitioner is permitted to withdraw the bail application

and the same is accordingly disposed of as withdrawn.

7. However, learned trial court shall make endeavour to dispose of the case as expeditiously as possible preferably within a period of four months from today.

8. It is further directed that in the event the trial court fails to conclude the trial within the aforesaid period of time, the Petitioner is given liberty to file a fresh bail application.

9. With the aforesaid observation, the bail application stands disposed of.

10. Urgent certified copy of this order be granted on proper application.

Jagabandhu

(*A.K. Mohapatra*)
Judge

