

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10320 of 2022

Prince Bag

....

Petitioner

Mr. Tara Prasad Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

17.10.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 363/366/376(2)(n)/376(3)/34, I.P.C. and Sections 6(1) & 17 of the POCSO Act.
4. Learned counsel for the Petitioner submits that so far as the present Petitioner is concerned, allegation against him is under Section 366/34, I.P.C. read with Section 17 of the POCSO Act and in the meantime investigation has been completed and charge-sheet has been submitted. He further submits that the main accused in this case is one Eliya Nayak, who has been arrested in the meantime. He also submits that the present Petitioner is a minor aged about 15 years

only. Therefore, he is required to appear before the Juvenile Justice Board having jurisdiction over the matter.

5. Considering such submission and facts of the case, the Petitioner is directed to surrender before the concerned Juvenile Justice Board within three weeks from today. In the event the Petitioner surrenders before the Juvenile Justice Board, necessary orders shall be passed by the learned P.O., Juvenile Justice Board in accordance with the Juvenile Justice (Care & Protection of Children) Act.

6. With the aforesaid observation and direction, the ABLAPL is disposed of.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida