

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No. 8183 of 2022**

***Lambodara Kanhar***

....

***Petitioner***

Mr. S.K. Lenka, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. P.K. Maharaj, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**04.11.2022**

**Order No.**

**05.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with C.T. Case No.46 of 2022, pending in the Court of the learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Phulbani, arising out of Phulbani Sadar P.S. Case No.107 of 2022, for alleged commission of offences under Sections 143/147/341/323/294/354/354-A of IPC read with Section 12 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Judge (POCSO), Phulbani, by order dated 17.08.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 23.07.2022 and since charge-sheet has already been filed on 19.09.2022, further continuance of the petitioner in custody is unwarranted.

6. It is further submitted by the learned counsel for the petitioner that while filing of charge-sheet the petitioner has been implicated under Sections 143/147/341/323/294/354/354-A/149 of IPC read with Section 12 of POCSO Act.

7. Learned counsel for the State opposes the prayer for bail relying on the statement of witnesses Biswamitra Mallick and Bindumati and also submitted that there are clear materials on record to indicate that since the deceased was shamed, she had no other alternative but to end her life.

8. Taking into account the period of custody and filing of charge-sheet and the nature of allegations and the basis of implication, 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.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

**(V. NARASINGH)**  
**Judge**

*Ayesha*