

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8256 of 2022

Sudhanya @ Khakan Nail

Petitioner

Mr. G. Mishra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.09.2022

Order No.

- 01.**
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 T.R Case No.7 of 2020(T), pending in the file of learned Adhoc Additional District and Sessions Judge (FTSC), Malkangiri, arising out of Malkangiri P.S. Case No.45 of 2020, under Section 376(3) /376(2)(n)/ 376(2)(i)/ 376-DA/506 of IPC read with Section 6 of the POCSO Act, 2012.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Adhoc Additional District and Sessions Judge (FTSC), Malkangiri by order dated 21.07.2022 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 15.02.2020 and trial has

commenced in the meanwhile and the independent witnesses have not supported the prosecution. Hence learned counsel for the petitioner seeks release of the petitioner.

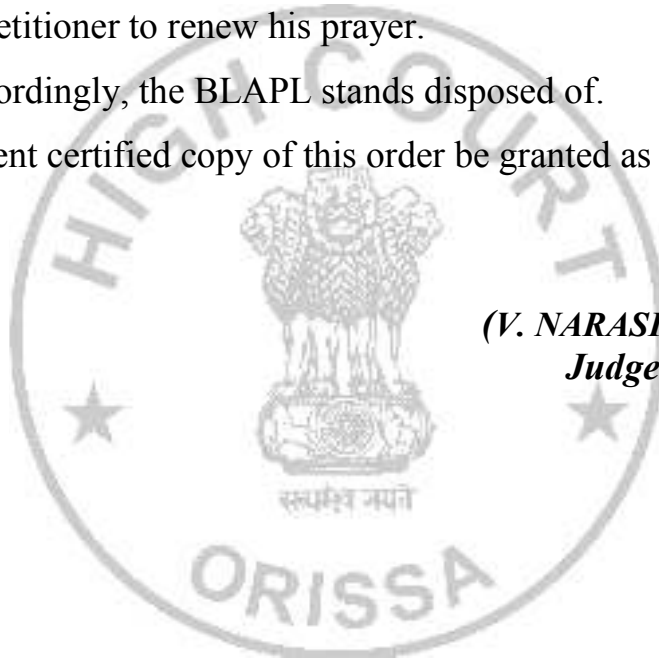
6. Since trial has commenced, this Court is **not inclined** to entertain this bail application at this stage.

7. Keeping in view that petitioner is in custody since 15.02.2020 learned Court in seisin over the matter is called upon to conclude the trial within the period of three months from the date of receipt/production of the copy of this order failing which it shall be open to the petitioner to renew his prayer.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge



Santoshi