

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8281 of 2022

Hemanta Murmu

....

Petitioner

Mr. J. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.10.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. It is submitted by the learned counsel for the State, on instruction, that notice was served on the Informant/Victim on 14.10.2022. As the matter was listed on such date, it was posted to this day to give an opportunity to the Informant/Victim to appear. But there is no appearance, when the matter is called.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. The Petitioner is an accused in connection with C.T Case No.25 of 2022 arising out of Kaptipada P.S. Case No.66 of 2022, pending on the file of the learned Ad hoc Addl. Sessions Judge (FTSC) under POCSO Act, Baripada for the alleged commission of offence under Sections 366/376(2)(n)/376(3)/506 IPC and Section 6 of the POCSO Act.

5. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Ad hoc Addl. Sessions Judge (FTSC) under POCSO Act, Baripada by order dtd.28.07.2022, the present BLAPL has been filed.

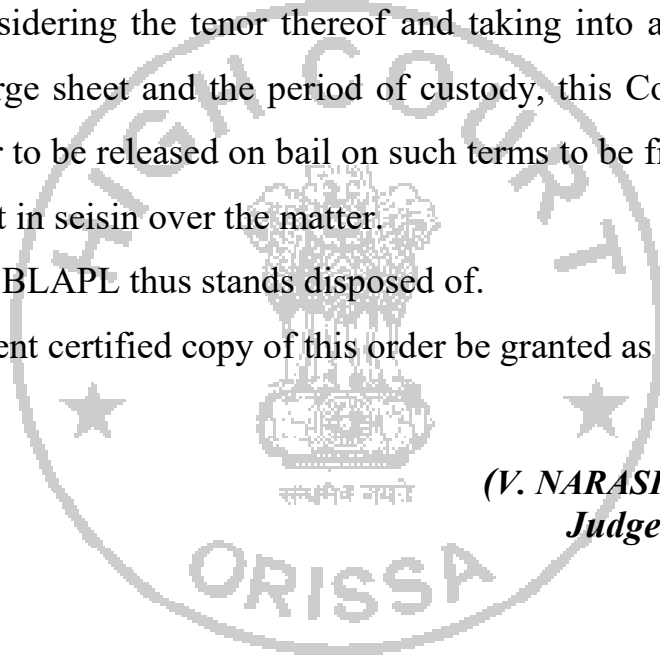
6. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 14.03.2022 and the charge sheet has been filed on 03.05.2022.

7. Perused the statement of the victim recorded under Section 164 Cr.P.C.

8. Considering the tenor thereof and taking into account the filing of charge sheet and the period of custody, 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. The BLAPL thus stands disposed of.

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



(V. NARASINGH)
Judge

PKS