

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8289 of 2022

Kishore Badi

....

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. It is submitted by the learned counsel for the State that notice has been served on the victim/informant on 19.09.2022. There is no appearance on behalf of the informant/victim when the matter is called.
4. The petitioner is an accused in C.T. (Spl.) Case No.36 of 2022, pending in the file of learned ADJ-cum-Special Court (POCSO) Jharsuguda, arising out of Badmal P.S. Case No.91 of 2022, offence under Sections 376-AB of IPC read with 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 ADJ-cum-Special Court (POCSO)

Jharsuguda by order dated 19.07.2022 in the aforementioned case, the present BLAPL has been filed.

6. Taking into account the 164 Cr.P.C. statement and the petitioner being the teacher of the victim, this Court is **not inclined** to entertain this bail application. It shall be open to the petitioner to move the learned Court in seisin over the matter after examination of the victim.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge



Santoshi