

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8331 of 2022

Akash Malik

....

Petitioner

Mr. M. Basu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in Special Case No.160 of 2022 pending on the file of learned Special Court, POCSO, Balasore, arising out of Sahadevkhunta P.S. Case No.159 of 2022, for commission of offence under Sections 363/366/376 IPC and Section 6 of the POCSO Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned A.D.J.-cum-Special Court under POCSO Act, Balasore by order dated 17.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 04.06.2022 and as charge sheet has been filed on 27.08.2022, his further continuance in custody is not warranted.

5. Learned counsel for the State opposes the prayer for bail.
6. Perused the statement of the victim recorded under Section 164 Cr.P.C.
7. Considering the tenor thereof and filing of the charge sheet, 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

PKS

