

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8368 of 2022

Dinesh Mohanty

....

Petitioner

Mr. A. Pattnaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2022

Order No.

03.

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.280 of 2022, pending in the file of learned Special Judge (POCSO)-Cum-Addl. Sessions Judge, Bhubaneswar, Dist-Khurda, arising out of Khurda Model P.S. Case No.276 of 2022, alleged commission of offence under Sections 363/366/376(2)(n) of IPC read with Section 6 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the Special Judge (POCSO)-Cum-Addl. Sessions Judge, Bhubaneswar by order dated 23.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner who is aged about 20 years and is a student of +3

(Commerce) in Banki College in custody since 18.07.2022 and as investigation has progressed substantial, he may be released on bail.

6. Learned counsel for the State opposes the prayer inter alia on the ground that during the currency of investigation, petitioner ought not to be released on bail.

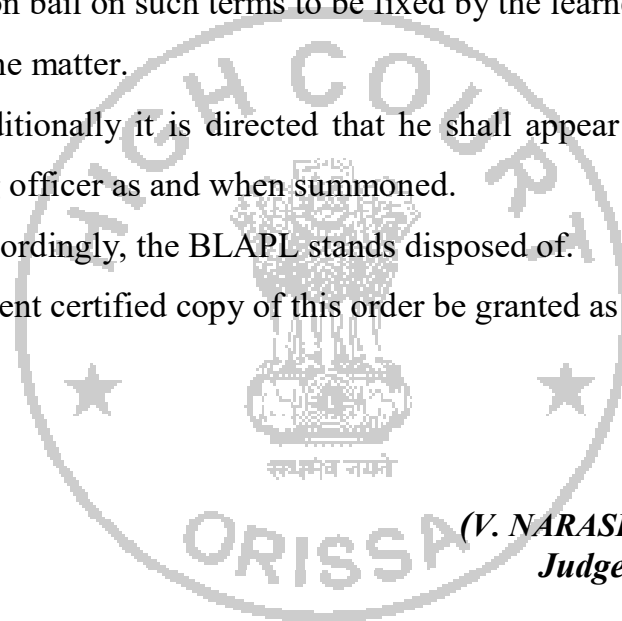
7. Perused the 164 Cr.P.C. statement of the victim.

8. Considering the tenor thereof and taking into account age of the petitioner who is a student, 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. Additionally it is directed that he shall appear before the investigating officer as and when summoned.

10. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi