

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8369 of 2022

Siba Barik

....

Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.09.2022

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 Special G.R. Case No.88 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge under POCSO Act, Nayagarh, arising out of Fategarh P.S. Case No.124 of 2022, offence under Sections 376(2)(n) of IPC read with Section 6 of the POCSO Act and is in custody since 20.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge under POCSO Act, Nayagarh by order dated 17.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim in which she has not alleged any overt Act against the petitioner.

6. Taking note of the same and keeping in view that the petitioner is in custody since 20.07.2022, 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.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi

