

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8567 of 2022

Somesh Brekebeda @ Bhaskar

Petitioner

Mr. T. Nanda, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in T.R Case No.31 of 2022 pending on the file of learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Rayagada, arising out of Chandrapur P.S. Case No.59 of 2022, for commission of offence under Sections 363/376(2)(n)/506 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 Addl. Sessions Judge-cum-Special Court under POCSO Act, Rayagada by order dated 05.07.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the Petitioner is in custody since 13.06.2022 and as charge sheet has been filed on 06.08.2022, his further continuance in custody is not warranted.
5. Learned counsel for the State opposes the prayer for bail.

6. Perused the order of rejection and 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.

(V. NARASINGH)
Judge

PKS

