

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8679 of 2022

Amit Mandal

....

Petitioner

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.11.2022

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.8 of 2022 pending in the file of learned Additional Sessions Judge, Malkangiri, arising out of Motu P.S. Case No.13 of 2022, for alleged commission of offence under Sections 363/366/376(2)(n) of IPC read with Section 6 of POCSO Act and is in custody since 27.02.2022.
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, Malkangiri by order dated 22.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 27.02.2022 and as charge sheet has already been filed on 26.04.2022, further continuance of the petitioner in custody is not warranted.

6. Perused the 164 Cr.P.C. statement of the victim.
7. Considering the tenor thereof and taking into account the period of custody and filing of 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

Santoshi

