

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8741 of 2022

Abhiram Patra

....

Petitioner

Mr. S.K. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in G.R. Case No.110 of 2022 pending on the file of learned Special Judge-cum-Addl. Sessions Judge under POCSO Act, Berhampur, arising out of B.N. Pur P.S. Case No.18 of 2022, for commission of offence under Sections 366/366-A/370-A/370(4)/373/376(2)(n)/344/120-B IPC and Sections 6/17 of the POCSO Act and Sections 3/4/6/7(1-A)/9 of the Immoral Trafficking (Prevention) Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned Special Court under PCOSO Act, Berhampur by order dated 05.09.2022 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 23.07.2022 and as charge sheet has been filed on 15.09.2022, his further continuance in custody is not warranted.
5. He further submits that the co-accused with greater complicity namely, Lata Das and Bichitra Mandal have been released on bail by order dated 28.11.2022 and 12.10.2022 in BLAPL No.9800 of 2022 and 9410 of 2022. Hence, he seeks release on the ground of parity.
6. Learned counsel for the State opposes the prayer for bail.
7. Perused the statement of the victim recorded under Section 164 Cr.P.C.
8. Considering the release of the co-accused 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.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS