

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8794 of 2022

Jyotiranjana Padhi

....

Petitioner

Ms. M. Naik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.11.2022

Order No.

05.

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 connection with Special Case No.168 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Balasore, arising out of Khantapada P.S. Case No.265 of 2021 and C.T. Case No.811 of 2021, for alleged commission of offences under Sections 363/294/376(3)/376(2)(n)/34 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 learned ADJ-cum-Special Court under POCSO Act, Balasore, by order dated 21.07.2022 in the aforementioned case, the present BLAPL has been filed.

5. Learned counsel for the State on instruction submits that notice has been served on the informant/victim on 26.10.2022. There is no appearance on behalf of the informant/victim when the matter is called and this was also noted in the order dated 09.11.2022.

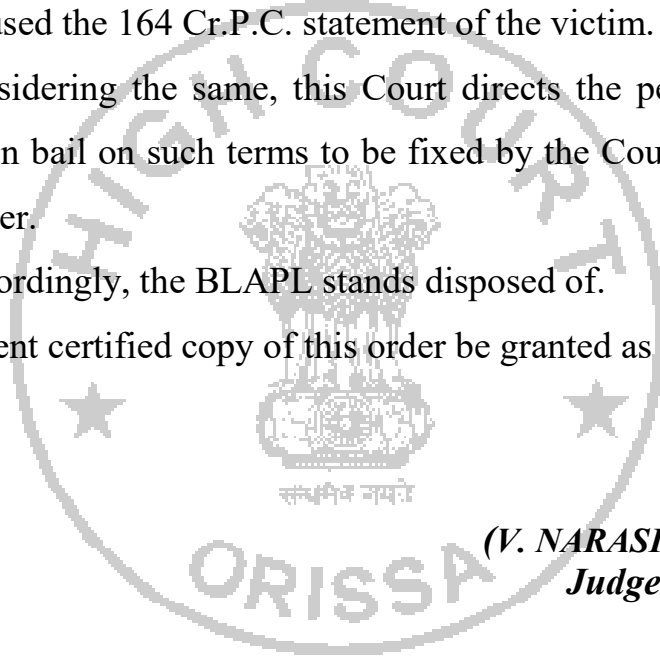
6. It is submitted by the learned counsel for the petitioner on instruction that charge-sheet has already been filed and as the petitioner is in custody since 06.07.2022, his further continuance in custody is unwarranted.

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

8. Considering the same, this Court directs the petitioner to be released on bail on such terms to be fixed by the 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

Ayesha