

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8841 of 2022

Banamali Bhoi

....

Petitioner

Mr. A.K. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in Spl. G.R. Case No.110 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack arising out of Jagatpur P.S. Case No.326 of 2022, for commission of alleged offences under Sections 366/376(2)(n) of IPC read with Section 6 of POCSO Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack by order dated 24.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 03.08.2022 and charge sheet has

already been filed on 30.09.2022, further continuance of the petitioner in custody is not warranted.

5. Copy of the 164 Cr.P.C. statement of the victim and the charge sheet filed by the learned counsel for the petitioner are taken on record.

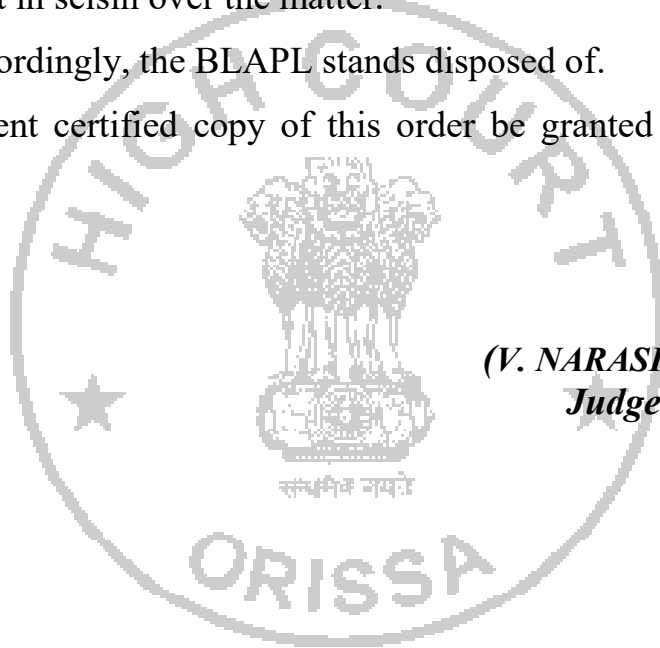
6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof and taking into account the filing of charge sheet and period of custody, 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 the rules.

Santoshi



(V. NARASINGH)
Judge