

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9099 of 2022

Basanta Jena & Another

....

Petitioners

Mrs. S. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

27.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in connection with G.R. Case No.182 of 2022, pending in the Court of learned Additional District & Sessions Judge-cum-Special Judge, Nayagarh, arising out of Dasapalla P.S. Case No.102 of 2022, for alleged commission of offences under Sections 363/366-A/498(A)/304(B)/302/34 of IPC read with Section 6/17 of POCSO Act, 2012.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Nayagarh, by order dated 29.08.2022 in the aforementioned case, the present BLAPL has been filed.

5. Since the consideration by the learned Court in seisin over the matter was during the course of investigation, this Court is not inclined to consider this bail application at this stage.

6. The petitioners are at liberty to move the learned Court below after filing of charge sheet. The same shall be considered on its own merits without being influenced by the earlier rejection or the order passed by this Court.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per rule.

Ayesha

