

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9116 of 2022

Nishikant Bagh

....

Petitioner

Mr. Tukuna Kumar Mishra, Advocate

-versus-

State of Odisha & another

....

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
30.09.2022

Order No.

02.

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.40 of 2022 pending in the file of learned Addl. District & Sessions Judge-cum-Special Court, POCSO Act, Rayagada, arising out of Tikiri P.S. Case No.105 of 2022, for offence under Sections 376(2)(n)/376(3)/323/506/307/34 IPC and Sections 4/6 of the POCSO Act and Action 4 of the D.P Act and is in custody since 02.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Rayagada by order dated 14.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

6. Since the present Petitioner is not the principal accused and the charge sheet has been filed on 23.09.2022 and the principal accused is in 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.

7. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

