

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9234 of 2022

Arun Kumar Barik

....

Petitioner

Mr. Amit Kumar Nath, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

14.10.2022

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 Special Case No.153 of 2022 pending on the file of learned Special Judge, Balasore, arising out of Singla P.S Case No.135 of 2022, for commission of offence under Sections 363/365/376(2)(n)/376(3) IPC and Section 6 of the POCSO Act and is in custody since 22.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the Special Judge, Balasore by order dated 03.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim, who is aged about 12 years.

6. Taking into account the tenor thereof, this Court is not inclined to release the Petitioner on bail. It shall be open to the Petitioner to renew his prayer before the learned Court in seisin over the matter which shall be considered the same on its own merit without being influenced by the earlier rejection or the order passed by this Court.

7. With the aforesaid order, this BLAPL stands disposed of.

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

PKS



(V. NARASINGH)
Judge