

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9275 of 2022

***Pupuna @ Papuna @ Tukuna
Tokari***

Petitioner

Mr. C. Das, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
29.09.2022**

Order No.

01.

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 Spl. G.R. Case No.121 of 2022, pending before the Court of learned A.D.J.-cum-Special Court under POCSO Act, Cuttack, arising out of Athgarh P.S. Case No.211 of 2022 dtd 04.09.2022, for offences under Sections 294/506/354A/354D/34 of IPC read with Section 12 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-Special Court under POCSO Act, Cuttack, by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the F.I.R. and the rejection order.
6. It is submitted by the learned counsel for the petitioner that in the absence of specific allegations against the petitioner, the

petitioner is entitled to be released on bail even when the investigation is going on.

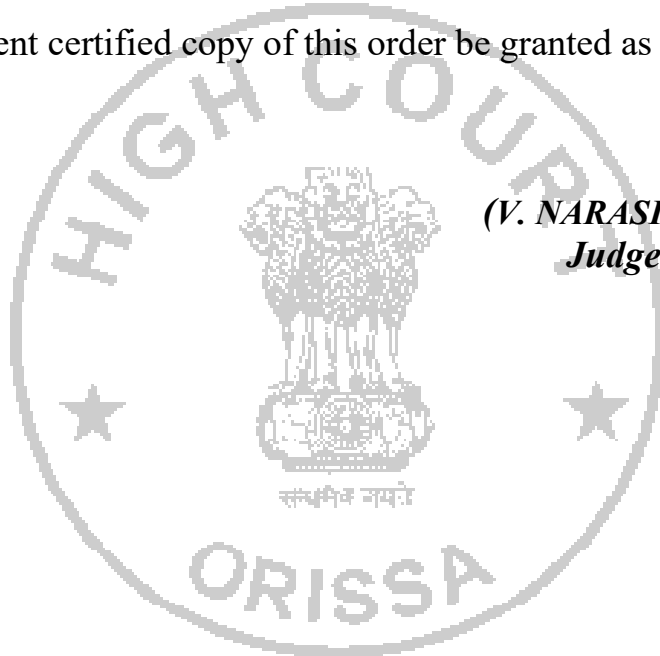
7. On perusal of the materials on record and keeping in view the nature of allegations, this Court is **not inclined** to consider the bail application at this stage.

8. It shall be open to the petitioner to move the learned Court in seisin over the matter afresh after filing of charge-sheet and the same shall be considered on its own merit without being influenced by the earlier order or order passed by this Court.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge