

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9302 of 2022

Chakradhar Sabar

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha & another

....

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.11.2022

Order No.

04.

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 G.R. Case No.06 of 2022 pending on the file of learned Addl. District & Sessions Judge-cum-Special Court, Deogarh, arising out of Kundhegola P.S. Case No.26 of 2022, for commission of offence under Sections 363/376(2)(n)/376(3) IPC and Section 4(2)/6 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District & Sessions Judge-cum-Special Court, Deogarh by order dated 17.02.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 24.01.2022 and since in the

meanwhile charge sheet has been filed, his further continuance in custody is unwarranted.

6. Pursuant to order dated 01.11.2022, the victim was produced by the I.I.C., Kundheigola P.S through V.C. She has stated that she has no objection, if the Petitioner is released on bail.

7. Since this is a case under the POCSO Act, consent of the victim is immaterial.

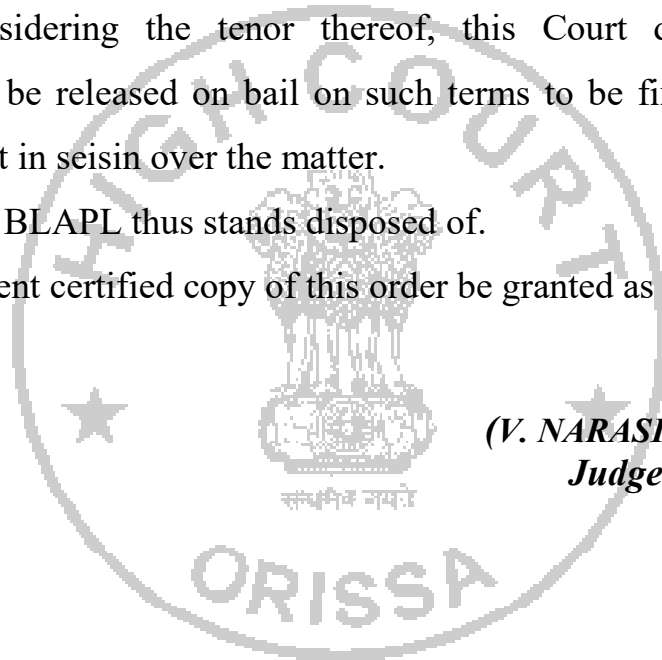
8. Perused the statement of the victim recorded under Section 164 Cr.P.C.

9. Considering the tenor thereof, 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.

10. The BLAPL thus stands disposed of.

11. Urgent certified copy of this order be granted as per rules.

PKS



(V. NARASINGH)
Judge