

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9383 of 2022

Belarsen Naik

....

Petitioner

Mr. Laxman Pradhan, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.10.2022

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 Special Case No.11 of 2022 (POCSO Act) pending in the file of learned Additional Sessions Judge-cum-Special Judge, Boudh arising out of Harbhanga P.S. Case No.58 of 2022, offence under Sections 341/354-A IPC and Section 9(m) of the POCSO Act and is in custody since 07.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-Special Judge, Boudh by order dated 13.09.2022 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 10 years.

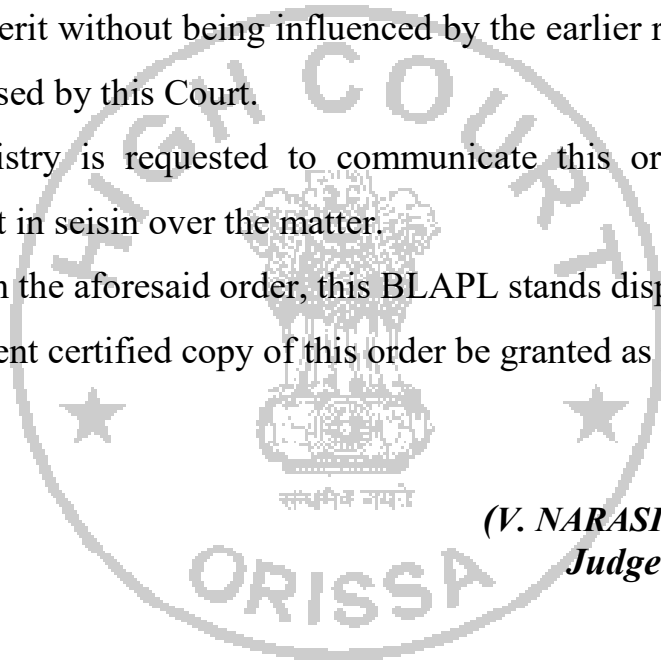
6. Taking note of the same, this Court is **not inclined** to entertain this bail application at this stage.

7. Since the Petitioner is in custody since 7.8.2022, learned Court in seisin over the matter is called upon to expedite the trial of the aforesaid case and conclude the same within the period of six months from the date of receipt/production of the copy of this order. In the event the trial is not concluded within the time stipulated, 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.

8. Registry is requested to communicate this order to the learned Court in seisin over the matter.

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

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



(V. NARASINGH)
Judge

PKS