

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9416 of 2022

Binod Naik

....

Petitioner

Mr. M.K. Pati, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.12.2022

Order No.

05.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Learned counsel for the State on instruction submits that notice has been served on the informant/victim on 08.12.2022. There is no appearance on behalf of the informant/victim when the matter is called.
3. The petitioner is accused in T.R. Case No.10 of 2022, pending on the file of the learned District & Sessions Judge-cum-Special Court, POCSO Act, arising out of Doraguda P.S. No.56 of 2022, for commission of alleged offences under Sections 450/376(2)(n)/376(3) of IPC and Section 4(2) and Section 6 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Court, POCSO Act, Rayagada, by order dated 29.06.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 06.04.2022 and charge sheet has already been filed on 31.05.2022, further continuance of the petitioner in custody is not warranted.

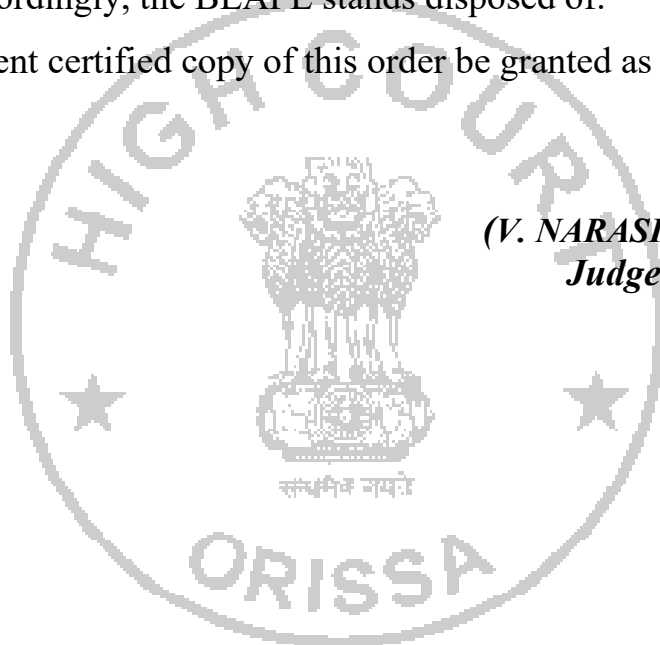
6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof and taking into account the filing of charge sheet and period of 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.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge