

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9417 of 2022

Dilip Khora @ Dillip Muduli

Petitioner

Mr. D.R. Bhokta, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

25.11.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Learned counsel for the State, on instruction, submits that notice has been served on the informant/victim. There is no appearance on behalf of the informant/victim when the matter is called.
4. The petitioner is an accused in G.R. Case No.729 of 2022, pending in the file of learned Additional Sessions Judge and Sessions Judge-cum-Special Court under POCSO Act, Koraput at Jeypore, arising out of Machhakund P.S. Case No.79 of 2022, for commission of alleged offences under Sections 376(3)/376(2)(n) of IPC read with Section 6 and 4(2) of the POCSO Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge and

Sessions Judge-cum-Special Court under POCSO Act, Koraput at Jeypore by order dated 05.09.2022 in the aforementioned case, the present BLAPL has been filed.

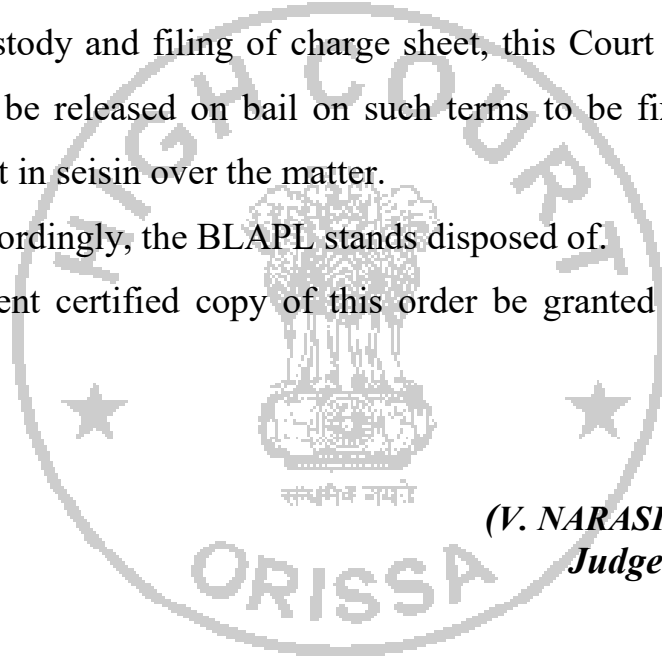
6. It is submitted by the learned counsel that the petitioner is in custody since 13.07.2022 and as charge sheet has already been filed on 18.09.2022, further continuance of the petitioner in custody is not warranted.

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

8. Considering the tenor thereof and taking into account the period of custody and filing of charge sheet, 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.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge