

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9429 of 2022

Kishan Baliarsingh

....

Petitioner

Mr. B.P. Mohanty, Advocate

-versus-

State of Odisha & Another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.12.2022

Order No.

04.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with T.R. No.143 of 2022, pending in the file of the learned Additional Sessions Judge-cum-Special Judge POCSO, Bhubaneswar, arising out of Khurda P.S. Case No.75 of 2022, for alleged commission of offences under Sections 363/366/376(2)(i)(n)/376(3) of IPC and Section 6 of POCSO Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge (POCSO), Bhubaneswar, by order dated 06.07.2022 in the aforementioned case, the present BLAPL has been filed.

4. The victim is produced by the Investigating Officer through VC. On being asked, the victim states that she wants to oppose the bail application of the petitioner.

5. It is submitted by the learned counsel that the petitioner is in custody since 09.02.2022 and as in the meanwhile charge-sheet has been filed on 13.06.2022, his further continuance in custody is uncalled for.

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

7. 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.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha

