

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9438 of 2022

***Mohammed Sakibulla @
Milan***

....

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
13.10.2022**

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 connection with Spl. G.R. Case No.48 of 2022, pending before the Court of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack, arising out of Salipur P.S. Case No.129 of 2022, for offences under Sections 363/366/323/376(2)(n) of IPC read with 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 Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack, by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim.

6. Considering the tenor thereof, this Court is **not inclined** to consider the bail application at this stage.

7. It shall be open to the petitioner to renew his prayer before the learned Court in seisin over the matter afresh after examination of the victim and It shall be open to the learned Court in seisin over the matter to consider such prayer independently without being influenced by the earlier order or the order passed by this Court.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge