

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9443 of 2022

Nitesh Kumar

....

Petitioner

Mr. S.K. Lenka, 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 G.R. Case No.457 of 2022, pending in the Court of learned J.M.F.C., Jatni, Khurda, arising out of Khurda Road GRPS Case No.89 of 2022, for commission of offences under Section 370(1) of IPC and Section 14 of the Child Labour (Prohibition & Regulation) Act, 1986.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge-cum-Special Judge, Vigilance, Bhubaneswar, by order dated 20.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that the petitioner is in custody since 19.07.2022 and the minimum punishment prescribed for offence under Section 14 of the Child Labour (Prohibition & Regulation) Act, 1986 is three months and since both the child victims have

already been rescued in the meanwhile, further continuance of the petitioner in custody is unwarranted.

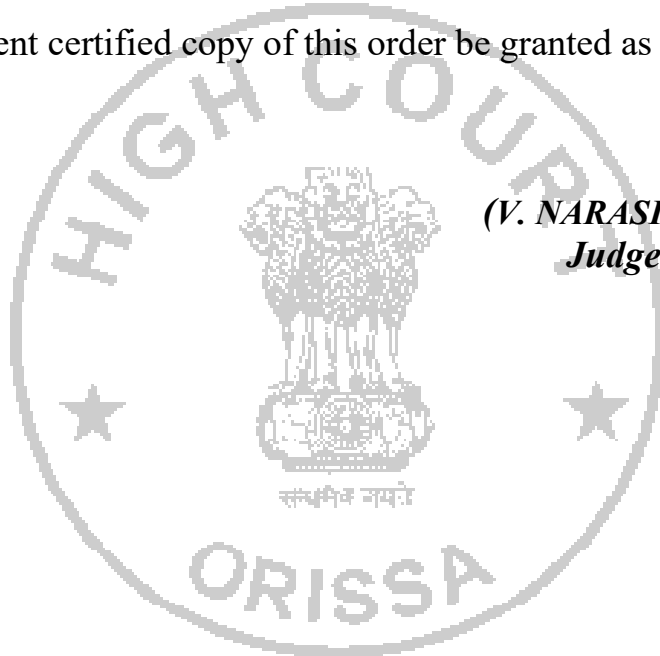
6. Taking into account the nature of allegations borne out from the Case Diary and the punishment prescribed, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

7. Considering that the petitioner is a flight risk, the learned Court in seisin over the matter is requested to prescribe adequate terms to ensure his presence on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge