

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9468 of 2022

Prem Majhi @ Premlal

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

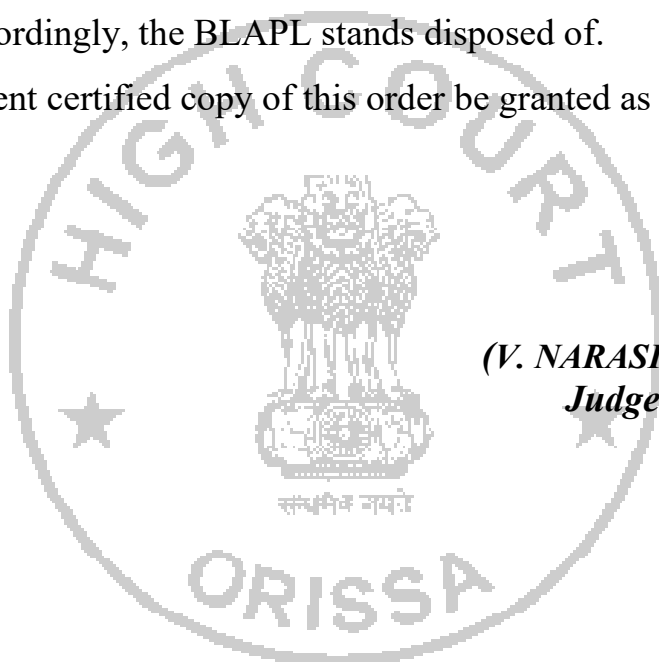
ORDER
09.12.2022

Order No.

04.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Learned counsel for the State on instruction submits that the notice has been served on the informant/victim on 26.11.2022. None appears for the informant/victim when the matter is called.
3. The petitioner is an accused in T.R. No.121 of 2021, pending in the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Nabarangpur, arising out of Raighar P.S. Case No.246 of 2021, for commission of alleged offences under Sections 376(2)(n)/376(3) 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, Nabarangpur by order dated 19.08.2022 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 29.12.2021 and charge sheet has already been filed on 25.02.2022, 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 rules.



Santoshi