

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9500 of 2022

Sibu @ Sibu Ranjan Sahu ***Petitioner***

Mr. K.A. Guru, Advocate

-versus-

State of Odisha & Another ***Opposite Parties***

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. The petitioner is an accused in connection with Special (POCSO) Case No.14 of 2022, pending before the learned Ad-hoc Additional District & Sessions Judge (FTSC), Angul, arising out of Jarapada P.S. Case No.61 of 2022, for alleged commission of offences under Sections 341/354(A)(i)/506 of IPC read with Section 8 & 12 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Ad-hoc Additional District & Sessions Judge (FTSC), Angul, by order dated 16.09.2022 in the aforementioned case, the present BLAPL has been filed.

5. Notice is stated to have been served on 12.11.2022. There is no appearance on behalf informant/victim when the matter is called.

6. It is submitted by the learned counsel that the petitioner is in custody since 20.02.2022 and since charge-sheet has already been filed on 06.04.2022, further continuance of the petitioner in custody is unwarranted.

7. Perused the 164Cr.P.C. statement of the victim aged about 7 years.

8. Considering the tenor thereof, this Court **not inclined** to consider the bail application of the petitioner at this stage.

9. It shall be open to the petitioner to move the learned Court in seisin over the matter after examination of victim, which shall be considered on its own merits without being influenced by the earlier order or order passed by this Court.

10. Accordingly, the BLAPL stands disposed of.

(V. NARASINGH)
Judge

Ayesha