

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9507 of 2022

Sagar Jena

....

Petitioner

Mr. P.S. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in connection with C.T. Spl. (POCSO) Case No.49 of 2022, pending in the Court of learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Jajpur, arising out of Dharmasala P.S. Case No.206 of 2022, for commission of offences under Sections 363/376(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 learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Jajpur, by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim submitted by the learned counsel for the State.

6. It is submitted by the learned counsel for the petitioner that since charge-sheet has already been filed on 31.08.2022, further continuance of the petitioner in custody is uncalled for.

7. Considering the tenor of 164 Cr.P.C. statement, period of custody and keeping in view the filing of charge-sheet, 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 rule.

Ayesha

