

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9577 of 2022

Rudra @ Raghunath Mallik

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha and another

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Victim along with her father present in the Court when the matter is called and they submit Aadhar Card in support of their identity. Photo start copies of the same are taken on record.
4. The petitioner is an accused in C.T. Spl. (POCSO) Case No.54 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Jajpur, arising out of Kuakhia P.S. Case No.172 of 2022, for commission of alleged offences under Sections 376(2)(n)/376(3) of the IPC read with sections 4(2) and 6 of the POCSO Act and is in custody since 22.05.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, Jajpur by order dated 09.09.2022 in the aforementioned case, the present BLAPL has been filed.

6. On being asked, the victim opposes the prayer of the petitioner for bail.

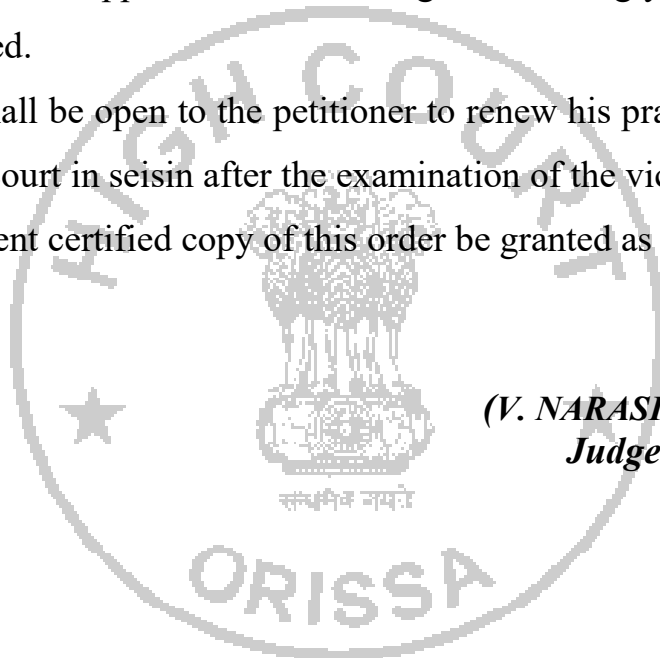
7. Learned counsel for the petitioner submits that the petitioner is in custody since 22.05.2022 and in the meanwhile charge sheet has already been filed on 16.07.2022 and considering his age being 18 years, his further continuance in custody is not warranted.

8. Perused the 164 Cr.P.C. statement of the victim.

9. Considering the same, this Court is not inclined to entertain this bail application at this stage. Accordingly, the same stands rejected.

10. It shall be open to the petitioner to renew his prayer before the learned Court in seisin after the examination of the victim.

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



Santoshi