

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9584 of 2022

Baidehi Mahananda

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.
3. Mr. B.K. Nayak and associates have appeared on behalf of the informant. Vakalatnama is taken on record. Names of Mr. B.K. Nayak and associates be reflected in the file as well as in the cause list and also in the CMS of this Court.
4. The petitioner is an accused in Spl. G.R. Case No.48 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Court, (under POCSO Act), Sambalpur, arising out of Sason P.S. Case No.213 of 2022, offence under Sections 342/376(3)/120(B) of IPC read with Section 4 of the POCSO Act and is in custody since 01.09.2022.
5. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-

Special Court, (under POCSO Act), Sambalpur by order dated 17.09.2022 in the aforementioned case, the present BLAPL has been filed.

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

7. It is submitted by the learned counsel for the petitioner that one Bishnu Mahananda is the principal accused and seeks bail for the present petitioner.

8. Considering such submission and taking into account the age of the petitioner and the legislative intent as stated under the first Proviso to Section 437(1) of Cr.P.C., this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in the seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge