

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9588 OF 2022

Dilip Rautia

.... ***Petitioner***
Mr.B.Pujari, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr.S. Jena, ASC

CORAM:
MR. JUSTICE D.DASH

Order No.
01.

Order
15.12.2022

1. The matter is taken up through hybrid arrangement (virtual/ physical) mode.
2. This is the successive journey of the Petitioner, who is in custody in connection with Melchhamunda P.S. Case No.48 of 2018 corresponding to C.T. Case No.18 of 2018 pending in the Court of the learned Special Judge (POCSO), Bargarh running for the alleged commission of offence under section 376(2)/506 of IPC and 6 of POCSO Act, in filling this application under Section 439 Cr.P.C. for his release on bail in the above mentioned case.
3. Learned counsel for the Petitioner, at the outset, instead of pressing this application for grant of bail, prays for its disposal considering the grant of interim bail to the Petitioner. He submits that this Petitioner being arrested in the above case is in custody since 10.05.2018 and for such long detention of the Petitioner in custody, his family members having maintained themselves till now, are no more in a position to continue with their day-to-day living and for the purpose, they require some help from this Petitioner on whom they are all depending. He, therefore, prays for grant of interim bail to the Petitioner for a period of ten weeks so

as to look after the family and make necessary arrangement for them.

4. Learned counsel for the State opposes the move, in view of the earlier rejection of the prayer for grant of bail to the Petitioner on merit.

5. Considering the submissions made and viewing all the surrounding circumstances; it is directed that the Petitioner be released on interim bail for a period of eight (08) weeks from the date of his actual release from custody on such terms and conditions as the learned Court in seisin of the case deems just and proper with further conditions that he will appear in person before the Court in seisin of the case on the date/dates falling the period of interim bail and will positively surrender on expiry of period of interim bail.

6. The BLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per rules.

**(D. Dash),
Judge.**