

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9654 of 2022

Maguni Mallick

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and the learned counsel for the State.
3. The Petitioner is an accused in Special Case No.391 of 2022 pending on the file of learned Addl. Sessions Judge-cum-Special Judge under POCSO Act, Keonjhar, arising out of Ghatgaon P.S. Case No.156 of 2022, for commission of offence under Sections 363/366 IPC and Section 17 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge under POCSO Act, Keonjhar by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that the Petitioner is in custody since 26.08.2022 and charge sheet has been filed on 23.10.2022 and considering the nature of allegation, his further continuance in

custody is not warranted. It is also submitted that the principal accused Shankar Mallik has been released on bail by order dated 21.10.2022 in BLAPL No.9669 of 2022.

6. Learned counsel for the State opposes the prayer for bail.

7. On perusal of the order dated 21.10.2022, it is seen that considering the statement of 164 Cr.P.C. of the victim, the accused Shankar Mallik has been released on bail.

8. Considering the role ascribed to the present Petitioner and filing of the charge sheet in the meanwhile, 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.

9. Accordingly, the BLAPL stands disposed of.

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

PKS

