

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9669 of 2022

Shankar Mallik

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in Special Case No.391 of 2022, pending in the file of learned Additional Sessions Judge-cum-Special Judge under POCSO Act, Keonjhar, arising out of Ghatgaon P.S. Case No.156 of 2022, offence under Sections 363/366/376(2)(n) of IPC read with Section 6 of the POCSO Act.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Judge under POCSO Act, Keonjhar by order dated 26.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the relationship between the petitioner and victim having gone sour and vindictively the present FIR was lodged and since the

investigation has progressed substantially, further continuance of the petitioner in custody is not warranted.

6. Learned counsel for the State opposes the prayer for bail during the currency of investigation.

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

8. Taking into account the tenor thereof and that the investigation has progressed substantially, 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. Additionally it is directed that the petitioner shall appear before the I.O. once every week till submission of final form.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi