

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9697 of 2022

Abraham Lima

....

Petitioner

Mr. S.K. Dash, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.12.2022

Order No.

05.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The Victim is produced through V.C. by the Investigating Officer. She opposes the prayer for bail.
3. The petitioner is accused in G.R. Case No.6 of 2022, pending on the file of the learned Special Judge-cum-Additional Sessions Judge, Paralakhemundi, Gajpati, arising out of Adava P.S. No.41 of 2022, for commission of alleged offences under Sections 363/366/376(2)(n)/376(3)/344/494/294/506/34 of IPC read with Section 6 of the POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge-cum-Additional Sessions Judge, Paralakhemundi, Gajpati, by order dated 21.09.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 13.03.2022 and charge sheet has already been filed on 09.05.2022, further continuance of the petitioner in custody is not warranted.

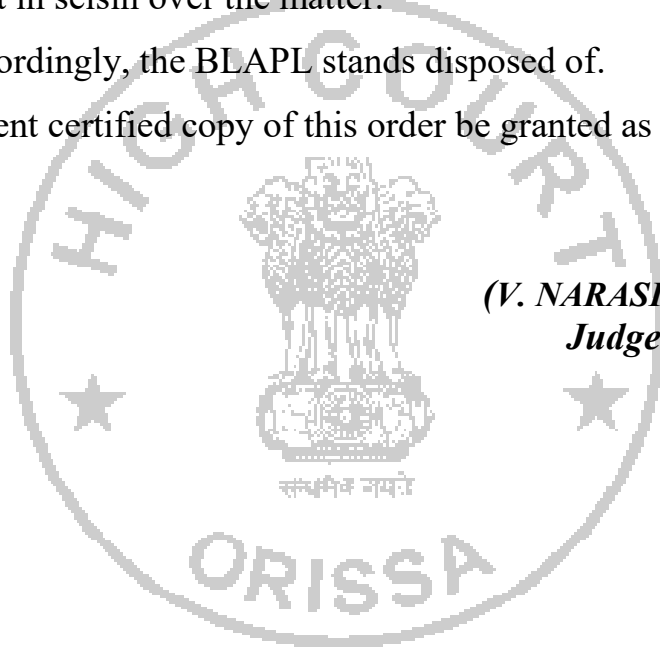
6. Perused the 164 Cr.P.C. statement of the victim which is on record.

7. Considering the tenor thereof and taking into account the filing of charge sheet and period of custody, 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.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge