

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9752 of 2022

Ajit Panda @ Dhanda

....

Petitioner

Mr. B.K. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

01.12.2022

Order No.

03.

1. Learned counsel for the State, on instruction, submits that notice has been served on the informant/victim on 25.11.2022. In spite of service of notice, no one appears on behalf of the Informant/victim, when the matter is called.

2. Heard learned counsel for the Petitioner and learned counsel for the State.

3. The Petitioner is an accused in T.R. Case No.10 of 2022 pending on the file of learned Addl. District & Sessions Judge-cum-Special Court under POCSO Act, Puri, arising out of Puri Town P.S. Case No.285 of 2021, for commission of offence under Sections 363/376(2)(n)/366/376(3) IPC and Sections 6/8 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. District Judge-cum-Special Court under POCSO Act, Puri by order dated 16.09.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 21.11.2021 and as charge sheet has been filed on 19.01.2022, his further continuance in custody is not warranted.
6. Learned counsel for the State opposes the prayer for bail.
7. Perused the statement of the victim recorded under Section 164 Cr.P.C.
8. Taking into account the filing of the charge sheet, 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.

(V. NARASINGH)
Judge

PKS

