

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9791 of 2022

Sunny Kumar & Another ***Petitioners***

Mr. P.R. Behera, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. The petitioners are accused in connection with C.T. Case No.2255 of 2022, pending in the Court of learned S.D.J.M., Jharsuguda, arising out of Jharsuguda P.S. Case No.493 of 2022, for commission of offences under Section 420/392 of IPC.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-Special Court under POCSO Act, Jharsuguda, by order dated 22.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioners that since the petitioners are in custody from 06.09.2022, further incarceration of the petitioners in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioners have criminal antecedents.

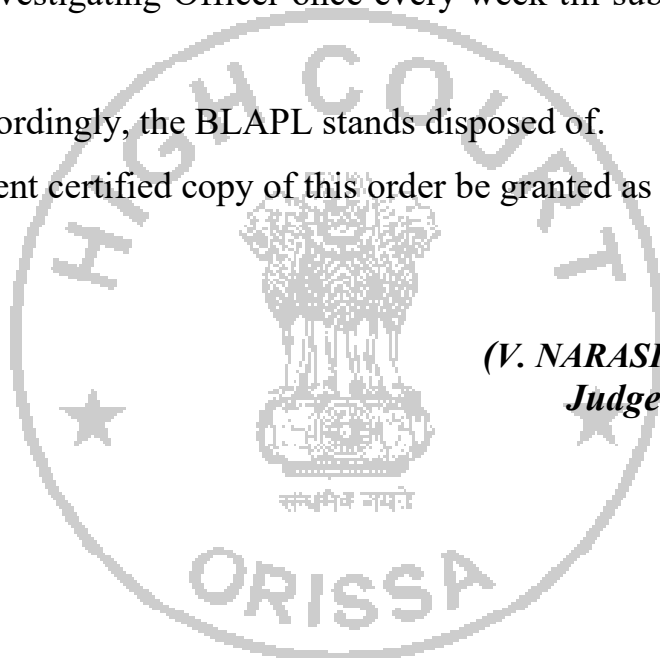
7. Taking into account that the petitioners were not named in the F.I.R., keeping in view the nature of allegations and the punishment prescribed, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Additionally it is directed that the petitioners shall appear before the Investigating Officer once every week till submission of final form.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge