

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9843 of 2022

Raja Pasayat

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

22.12.2022

Order No.

04.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. Learned counsel for the petitioner submits that in the cause title the description of the learned Court has been wrongly mentioned.
3. He is permitted to make necessary correction in Court.
4. The petitioner is accused in Special G.R. Case No.54 of 2022, pending on the file of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Balangir, arising out of Patnagarh P.S. No.72 of 2022, for commission of alleged offences under Sections 363/376(2)(n) of the IPC read with Section 6 of the POCSO Act.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Balangir, by order dated

28.09.2022 in the aforementioned case, the present BLAPL has been filed.

6. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 21.07.2022 and charge sheet has already been filed on 18.09.2022, further continuance of the petitioner in custody is not warranted.

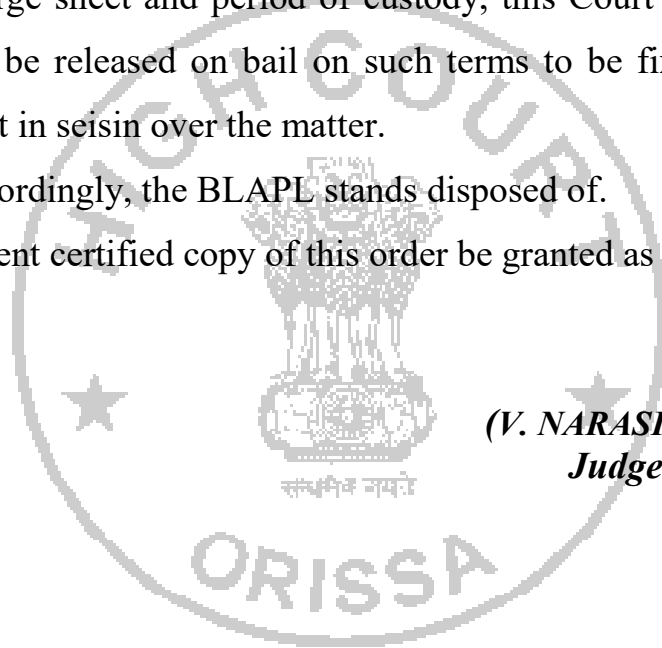
7. Perused the 164 Cr.P.C. statement of the victim which is taken on record.

8. 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.

9. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge