

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10086 of 2022

Jagadish Mallik

....

Petitioner

Mr. J. Sahu, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
21.12.2022

Order No.

04.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with C.T. Case No.12 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Bargarh, arising out of Gaisilat P.S. Case No.60 of 2022, for commission of alleged offences under Sections 376(2)(n)/376(3) of IPC and under Section 6 of the POCSO Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-Special Court under POCSO Act, Bargarh by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that petitioner is in custody since 15.03.2022. The statement of the victim has been placed on record at Annexure-3.
5. The victim has resiled from her statement and has declared hostile under Section 154 of the evidence Act.

6. Considering the same, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin so as to ensure his presence on each date of trial.
7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Santoshi

