

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9558 of 2021

Dambarudhar Nag

....

Petitioner

Mr. S.S. Singhdeo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.05.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
 3. This is an application under Section 439 of the Criminal Procedure Code.
 4. The Petitioner is an accused in C.T. Case No.46 of 2020 arising out of Koksara P.S. Case No.150 of 2020 pending in the court of learned Additional Sessions Judge-cum-Special POCSO Judge, Kalahandi for commission of offence punishable under Sections 366/368/376(2)(n)/376(3)/294/323/34, I.P.C. read with Section 6 of the POCSO Act.
 5. Learned counsel for the Petitioner seeks permission to withdraw the present bail application with liberty to move a fresh bail application before the court below in the event the trial is not

concluded within a stipulated time.

6. Learned counsel for the Petitioner further submits that Petitioner is in custody since 19.06.2020.

7. Considering the submissions and the materials available on record, the Petitioner is permitted to withdraw the bail application and the same is accordingly disposed of as withdrawn.

8. However, learned trial court shall make endeavour to dispose of the case as expeditiously as possible preferably within a period of three months from today.

9. It is further directed that in the event the trial court fails to conclude the trial within the aforesaid period of time, the Petitioner is given liberty to file a fresh bail application.

10. With the aforesaid observation, the bail application stands disposed of.

Urgent certified copy of this order be granted on proper application.

(*A.K. Mohapatra*)
Judge