

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10111 of 2022

Pradeep Biswal

....

Petitioner

Mr. S. Chatterjee, Advocate

-versus-

State of Odisha & Another

....

Opposite Parties

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
14.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with Spl. G.R. Case No.80 of 2022, pending in the Court of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Cuttack, arising out of Khuntuni P.S. Case No.116 of 2022, for alleged commission of offences under Sections 363/366/376(2)(n)/376(3) of IPC read with Section 6 of POCSO Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-Special Court under POCSO Act, Cuttack, by order dated 01.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. Notice is stated to have been served on the informant/victim on 11.11.2022. There is no appearance on behalf of the informant/victim when the matter is called.

5. It is submitted by the learned counsel that the petitioner is in custody since 07.06.2022 and since charge-sheet has been filed on 02.08.2022, further continuance of the petitioner in custody is unwarranted.
6. Learned counsel for the State opposes the prayer for bail.
7. Perused the 164 Cr.P.C. statement of the victim.
8. Considering the tenor thereof, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Ayesha

