

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13394 of 2022

Chagulu Mallik

....

Petitioner

Mr.Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

01.11.2022

Order No.

- 01.
1. Heard learned counsel for the Petitioner and learned counsel for the State.
 2. By means of this application., the Petitioner seeks bail in anticipation of his arrest under Section 438 Cr.P.C on the alleged offence under Sections 363/366(A)/344/376(2) (i)/34, I.P.C. and Section 4 of the POCSO Act, in connection with Panikoili P.S. Case No.119 of 2015 corresponding to Special G.R. Case No.108 of 2015 pending in the Court of learned A.D.J.-cum-Special Judge, Jajpur.
 3. Having regard to the allegations in the F.I.R., there appears material to constitute the offence under the POCSO Act besides the offences under the Indian Penal Code and keeping in view the gravity of the allegations it is not desirable for this Court to grant anticipatory bail. On the facts and circumstances, seriousness of the

offences, however, it is directed that in the event the Petitioner surrenders and moves for bail before the learned court below, the learned court in seisin over the matter shall dispose of the same on its own merit being alive of the position of law on bail, as far as possible taking into consideration the materials on record as well as other documents available on record, on the very same day, without being influenced by the any observations made by this Court.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

KC Bisoi

