

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10219 of 2022

Dambarudhar Nag

....

Petitioner

Mr. S.S.S. Deo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

21.12.2022

Order No.

03.

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.46 of 2020, pending in the Court of the learned Adhoc Additional District & Sessions Judge (First Track Special Court), Kalahandi at Bhawanipatna, arising out of Koksara P.S. Case No.150 of 2020, for alleged commission of offences under Sections 366/368/376(2)(n)/376(3)/294/323/34 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 Adhoc Additional District & Sessions Judge (First Track Special Court), Kalahandi at Bhawanipatna, by order dated 15.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. Notice is stated to have been served on the informant/victim on 08.12.2022. There is no appearance on behalf of the informant/victim.

5. It is submitted by the learned counsel that the petitioner is in custody since 19.06.2020 and trial is yet to be commenced, as it is borne out from the order dated 15.09.2022, passed by the learned Court in seisin, which is impugned herein.

6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof, this Court directs the petitioner to be released on bail. The learned Court in seisin to fix the terms so as to ensure the presence of the petitioner on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha

