

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10220 of 2022

Raju @ Gora @ Rajendra Sethi ***Petitioner***

Mr. D. Sethy, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

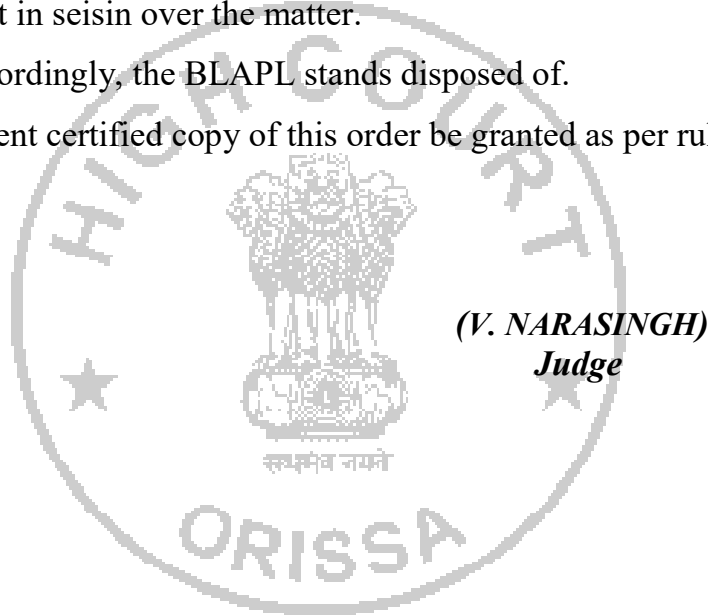
09.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in Special Case No.140 of 2022, pending in the file of learned Special Judge, (POCSO), Balasore arising out of Berhampur P.S. Case No.68 of 2022, for alleged commission of offence under Sections 376(2)(n)/354-C/354-D/294/506 of IPC and under Section 6/12/14(1) of POCSO Act and under Section 67/67-A/67-B/66-C/66-E of I.T. Act and is in custody since 16.08.2022.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Special Judge, Balasore by order dated 22.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner has submitted the copy of the final form and the statement of the victim recorded under Section 164 Cr.P.C., which are taken on record.

6. It is also submitted by the learned counsel for the Petitioner that Petitioner is in custody since 16.08.2022 and charge sheet has already been filed on 15.10.2022, further continuance of the petitioner in custody is not warranted.
7. Perused the final form and 164 Cr.P.C. statement of the victim.
8. Considering the tenor thereof and taking into account the period of custody and filing of final form, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rules.



Santoshi