

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10251 of 2022

Biranchi Takri

....

Petitioner

Ms. S. Soren, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.11.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard Ms. S. Soren on behalf of Mr. H.B. Dash, learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with T.R. Case No.39 of 2022, pending in the Court of the learned Additional District and Sessions Judge-cum- P.O. Spl. Court, POCSO Act, Rayagada, arising out of Ambadola P.S. Case No.77 dated 16.05.2022, for alleged commission of offences under Sections 363/366/376(2)(n) of the IPC read with Section 6 of POCSO Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Court, POCSO Act, Rayagada, by order dated 27.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the 164 Cr.P.C. statement of the victim and the final form which is on record.
6. It is submitted by the learned counsel for the petitioner relying on the 164 Cr.P.C. statement that since investigation has

been concluded, further continuance of the petitioner in custody is unwarranted.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground of the provisions as contained in POCSO Act.

8. Considering the tenor of the 164 Cr.P.C. statement and submission 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 rule.

Ayesha

