

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10269 of 2022

Shiba Suna

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

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 Special G.R. Case No.25 of 2022, pending in the file of the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Bolangir, arising out of Patnagarh P.S. Case No.65 of 2022, for alleged commission of offences under Section 376(1) of IPC read with Section 4 of POCSO Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-Special Court under POCSO Act, Balangir, by order dated 19.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 04.04.2022 and since charge-sheet has been filed on 18.05.2022, further continuance of the petitioner in custody is unwarranted.

5. Learned counsel for the State opposes the prayer for bail.
6. Perused the 164 Cr.P.C. statement of the victim and the statement of the witness Mamata Barik and the medical examination report.
7. 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

Ayesha

