

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13490 of 2022

Ranjan Kumar Jena

Petitioner
....
Mr.A.R. Panda, 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 under Section 438 Cr.P.C., the Petitioner seeks anticipatory bail apprehending his arrest on the alleged offence under Sections 363/366(A)/376(2)(n) I.P.C. and Section 6 of the POCSO Act, in connection with Basta P.S. Case No.171 of 2020 corresponding to Special Case No.262 of 2020 pending in the Court of learned Additional Sessions Judge-cum-Special Judge (POCSO), Balasore.
 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 under the POCSO Act, 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

