

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10287 of 2022

Manu Pradhan @ Naik

....

Petitioner

Mr. R.N. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2022

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 Spl. Case No.64 of 2021 relating to T.C. No.158 of 2021, pending in the file of learned Adhoc Additional Sessions Judge (FTSC), Keonjhar, arising out of Nayakote P.S. Case No.31 of 2021, for commission of alleged offence under Sections 376(D) of 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 Adhoc Additional Sessions Judge (FTSC), Keonjhar by order dated 21.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection and deposition of P.W.1-the victim.
6. It is submitted with vehemence by the learned counsel for the petitioner that even if the entire prosecution case is accepted at

its face value along with the statement of the Victim-P.W.1, no case under Section 376(D) of IPC is made out. Hence further continuance of the petitioner in custody is not warranted.

7. The analysis relating to Section 376(D) of IPC as canvassed by the learned counsel for the petitioner would amount to prejudging the issue. Hence, this Court is not inclined to release the petitioner on bail, the bail application stands rejected.

(V. NARASINGH)
Judge

Santoshi

