

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10291 of 2022

Brundaban Malik

....

Petitioner

Mr. S. Panda, 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.

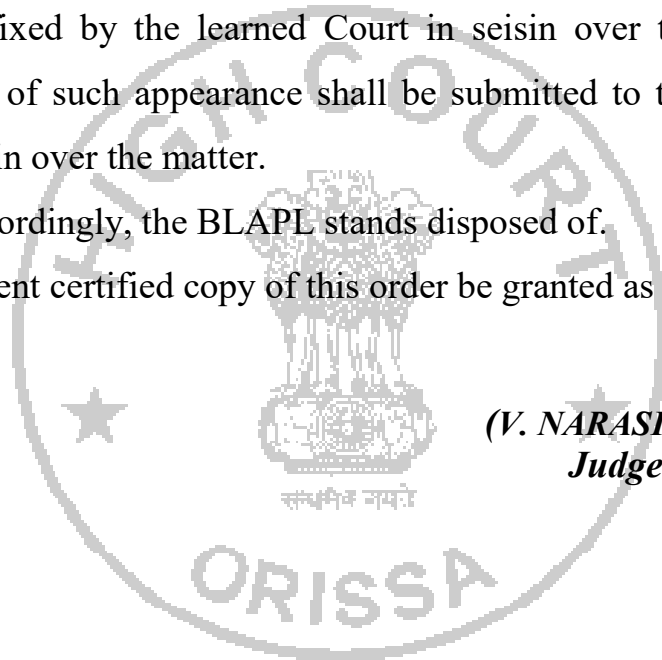
2. The Petitioner is an accused in Special POCSO Case No.69 of 2020 pending on the file of learned Ad hoc A.D.J.-cum-Special Judge (FTSC), Bhadrak, arising out of Naikandihi P.S. Case No.96 of 2020, for commission of offence under Sections 363/366/109/376(2)(n)/34 IPC and Section 6 of the POCSO Act.

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 Judge, Bhadrak by order dated 28.06.2021 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 19.08.2020 and as charge sheet has been filed on 21.10.2020, his further continuance in custody is not warranted.

5. Learned counsel for the State opposes the prayer for bail.
6. Perused the statement of the victim recorded under Section 164 Cr.P.C.
7. Considering the tenor thereof and filing of the charge sheet, 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.
8. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every week till conclusion of trial. The first date and time to be fixed by the learned Court in seisin over the matter. Certification of such appearance shall be submitted to 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.

PKS



(V. NARASINGH)
Judge