

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10297 of 2022

Ajay Maharana

....

Petitioner

Mr. L. Bhuyan, Advocate

-versus-

State of Odisha & another

....

Opposite Parties

Mr. P.K. Maharaj, 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 Case No.56 of 2022 pending on the file of learned Addl. Sessions Judge-cum-Special Court, Keonjhar, arising out of Keonjhar Town P.S. Case No.185 of 2022, for offence under Sections 370-A(1)/376(3) IPC and Section 4 of the POCSO Act and Section 5 of the Immoral Traffic (Prevention) Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. District & Sessions Judge-cum-Special Judge under POCSO Act, Keonjhar by order dated 02.08.2022 in the aforementioned case, the present BLAPL has been filed.

4. Learned counsel for the Petitioner submits that the co-accused have been released on bail by order dated 11.10.2022 in BLAPL No.8550 of 2022 and seeks release on the ground of parity.
5. On perusal of the materials on record, it is seen that the principal accused Chepan Mukhi and Mina Mukhi named in the FIR are not Petitioners before this Court.
6. Perused the statement of the victim recorded under Section 164 Cr.P.C.
7. Taking into account the period of custody of the Petitioner and filing of the charge sheet on 20.07.2022, 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. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

PKS

