

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 13796 of 2022**

***Mina @ Minati Gajendra &  
another***

***..... Petitioners***  
Mr. S.K Lenka, Advocate

***-versus-***

***State of Odisha***

***..... Opposite Parties***  
Mr. M.K Mohanty, A.S.C.

**CORAM:  
JUSTICE CHITTARANJAN DASH**

**ORDER  
28.11.2022**

**Order No.**

02.

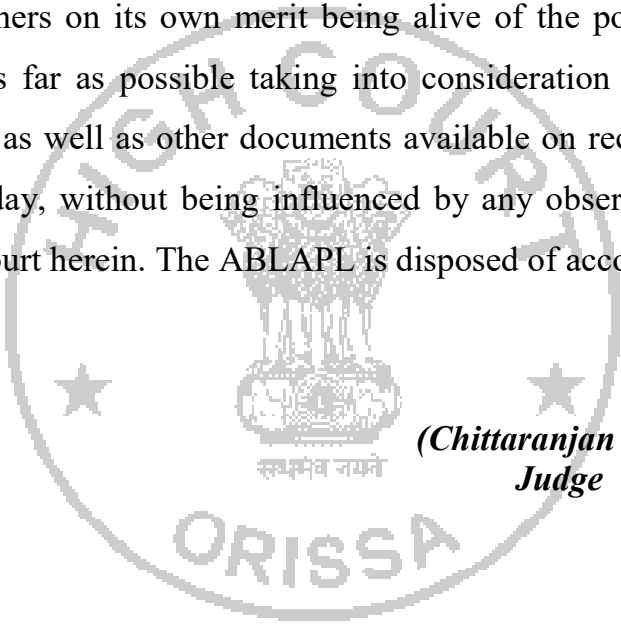
1. Heard learned counsel for the Petitioners and learned counsel for the State.

2. By means of this application under Section 438 Cr.P.C., the Petitioners seek anticipatory bail apprehending an arrest for their alleged involvement in the offence U/s. 363/366/376(2)(n)/323/506/34 of IPC, read with Section 6 of POCSO Act in connection with Banpur P.S. Case No.429 of 2022 corresponding to Special T.R Case No. 452 of 2022 pending in the Court of learned Special Judge POCSO Court, Bhubaneswar.

3. Learned counsel for the State having obtained the up-to-date case diary place it before this court which includes the statement of the victim recorded U/s. 164 Cr.P.C. From the contention in the statement it appears that seeing the victim girl with their inmates of the house of the principal accused Pintu Pradhan informed the

parents of the victim to take her back to their house. They also dissuaded Pintu Pradhan from proceeding with his aforesaid action.

4. Having regard to the allegations in the F.I.R., there appears material in constituting the offence under the POCSO Act and as such it is not desirable for this Court to grant the anticipatory bail. However, it is directed that in the event the Petitioners surrender and move for bail before the learned court below, the learned court in seisin over the matter shall dispose of the bail application of the Petitioners on its own merit being alive of the position of law on bail, 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 any observations made by this Court herein. The ABLAPL is disposed of accordingly.



(Chittaranjan Dash)  
Judge

*B.K Sahoo*