

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13842 of 2022

***Dhara Hikaka @ Dora Hikoka &
Others***

....

Petitioners

Mr. Biraja Prasanna Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Manoj Kumar Mohanty, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
28.10.2022**

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 376(3)/376(2)(n)/506, I.P.C. and Sections 6 & 17 of the POCSO Act, in connection with Chandili P.S. Case No.167 of 2022 corresponding to T.R. Case No.48 of 2022 pending in the court of learned ADJ-cum-P.O., Special Court (POCSO Act), Rayagada.
 3. Having regard to the allegations in the F.I.R., there appears material in the case with regard to the offence under the POCSO Act and as such it is not desirable for this Court to entertain the anticipatory bail and disposing the application. However, it is directed that in the event the Petitioner surrenders before the

learned court below, the learned court in seisin over the matter shall dispose of the same on its own merit, as far as possible taking into consideration the materials on record as well as other documents available on record / medical opinion, on the very same day, without being influenced by the rejection order of anticipatory bail passed by this Court.

4. The ABLAPL is disposed of accordingly.

S.K. Parida



(Chittaranjan Dash)
Judge