

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9567 of 2021

Babula Munda Lohar @ Petitioner
Badal Hembram

Mr.P. Das, Advocate

-versus-

State of Odisha Opp. Party

Mr. D.K. Pani
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
08.04.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

 Heard learned counsel for the petitioner and learned counsel for the State.

 This is an application for bail under section 439 of Cr.P.C. in connection with Jashipur P.S. Case No.69 of 2020 corresponding to C.T Case No. 54 of 2020 pending in the file of learned Presiding Officer, Special Court, under POCSO Act, Mayurbhanj, Baripada for alleged commission of offences under sections 376(2)(n), 506 of the Indian Penal Code and 6 of POCSO Act.

 The prayer for bail of the petitioner was rejected by the learned Ad hoc Addl. Sessions Judge,

Fast Track Special Court, Baripada vide order dated 07.10.2021.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 13.05.2020 and while rejecting the earlier bail application of the petitioner in BLAPL No.7317 of 2020 as per order dated 08.03.2021, the petitioner was given liberty to renew the prayer for bail after examination of the victim in the learned trial Court. Learned counsel for the petitioner submitted that the victim has been examined in the meantime as P.W.5 and he has annexed the deposition copy of the victim to the bail application.

On perusal of the deposition copy, it appears that the victim has supported the prosecution case. She was a minor at the time of occurrence and became pregnant on account of rape committed on her by the petitioner.

In view of the nature and gravity of the accusation, while not inclining to release the petitioner on bail, I direct the learned trial Court to do well to expedite the trial and conclude the same within a period of six months from the date of receipt of the copy of the order. The petitioner is at liberty to renew his prayer for bail, if the trial is not concluded within the said period.

The BLAPL is accordingly disposed of.

Urgent certified copy of this order be granted

on proper application.

Copy of the order be communicated to the learned trial Court forthwith.

(S.K. Sahoo)
Judge

P

