

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10650 of 2022

Aman Nayak

....

Petitioner

Mr. T.K. Sahu, Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.12.2022

Order No.

02.

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

2. The petitioner is an accused in connection with C.T. Case No.47 of 2022, pending in the Court of the learned Additional District & Sessions Judge –cum- Special Court under POCSO Act at Phulbani of Kandhamal District, arising out of Phulbani Town P.S. Case No.82 of 2022, for alleged commission of offences under Sections 363/366/376(2)(n)/344 of IPC read with Section 6 of PCOSO Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge -cum- Special Court Judge (POCSO), Phulbani, by order dated 02.08.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioner is in custody since 26.07.2022 and since charge-sheet has been filed

on 22.09.2022, further continuance of the petitioner in custody is unwarranted.

5. Learned counsel for the State opposes the prayer for bail.

6. Perused the 164 Cr.P.C. statement of the victim.

7. Considering the tenor thereof, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Ayesha

