

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13998 of 2022

Jatadhari Senapati & another ***Petitioners***
Mr. Biswaranjan Maharatha,
Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
01.11.2022

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 363/294/506/34, I.P.C. and Section 7 & 8 of the POCSO Act, in connection with Konark P.S. Case No.83 of 2020 corresponding to Special G.R. Case No.65 of 2020 pending in the Court of learned Addl. District Judge-cum-Special Judge, POCSO Act, Puri.
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 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.

4. The ABLAPL is disposed of accordingly.

S.K. Parida



(Chittaranjan Dash)
Judge