

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14097 of 2022

Bikash Singh Samanta

Petitioner
....
Mr. D.R Mishra, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Debasis Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
03.11.2022**

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 363/376 (2) (n), I.P.C. and Section 6(1) of POCSO Act, in connection with Athamallik P.S. Case No.239 of 2022 corresponding to Special G.R. Case No.1016 of 2022 pending in the Court of learned Jubilance Justice Board, Angul.
 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 grant the anticipatory bail. However, it is directed that in the event the Petitioner surrenders and moves for bail before the learned court

below, the learned court in seisin over the matter shall dispose of the bail application of the Petitioner 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.

(Chittaranjan Dash)
Judge

B.K Sahoo

