

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14383 of 2022

Arnapurna Mallik

....

Petitioner

Mr. Suresh Kumar Jena, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

17.11.2022

Order No.

01. 1. Heard the learned counsel for the Petitioner and 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 448/323/354/354-A/379/34, I.P.C. and Section 12 of the POCSO Act, in connection with Binjharpur P.S. Case No.570 of 2022 corresponding to C.T. Spl.(POCSO) No.126 of 2022 pending in the court of learned Addl. Sessions Judge-cum-Spl. Court under POCSO Act, Jajpur.
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 and moves for bail before the learned court below, the learned court in seisin over

the matter shall dispose of the same 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.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida

