

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11092 of 2022

Namaste Majhi

....

Petitioner

Mr. J. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.12.2022

Order No.

01.

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.260/67 of 2021, pending in the file of the learned Additional District & Sessions Judge (Fast Track Special Court), Kalahandi, Bhawanipatna, arising out of Jaipatna P.S. Case No.270 of 2021, for alleged commission of offences under Sections 363/366/376(2)(i)(n) of IPC read with Section 6 of POCSO Act.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Adhoc. Additional District & Sessions Judge (Fast Track Special Court), Kalahandi, Bhawanipatna, by order dated 29.10.2022 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 06.08.2021 and since charge-sheet has been filed on 27.09.2021, 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 which is taken on record.
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 over the matter.
8. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Ayesha

