

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11164 of 2022

Narendra Garada @ Naren

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

15.12.2022

Order No.

01.

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

2. The petitioners are accused in G.R. Case No.642 of 2022, pending in the file of learned Additional Sessions Judge-cum-Spl. Court under POCSO Act, Jeypore, Dist-Koraput, arising out of Koraput Town P.S. Case No.146 of 2022, for commission of alleged offences under Sections 366/376(2)(n) of the IPC read with Section 6 of the POCSO Act and is in custody since 20.06.2022.

3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge-cum-Special Court under POCSO Act, At-Jeypore, Dist-Koraput by order dated 28.10.2022 in the aforementioned case, the present BLAPL has been filed.

4. Perused the order of rejection and the statement of the victim examined as P.W.1.

5. The victim has resiled from her statement. The said statement is taken on record.

6. Keeping in view the statement of the victim, as noted and the age of the petitioner (19 years) and considering his period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin so as to ensure his presence on each date of trial.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge

Santoshi

