

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3414 of 2022

Karunakar Nayak

.... **Petitioner**
Mr. U.C. Jena, Advocate

-Versus-

State of Odisha

.... **Opposite Parties**
Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
25.11.2022

Order
No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State-opposite party.

2. In the present case, the challenge is to the impugned order dated 24th November, 2021 passed in Special POCSO Case No.40 of 2019 pending in the file of learned A.D.J.-cum-Special Judge, Bhadrak corresponding to Bhadrak Rural P.S. Case No.222 of 2019 on the grounds stated therein.

3. A copy of the FIR is at Annexure-1.

4. Learned counsel for the petitioner submits that the petitioner was an interim bail by the Court's order but he failed to turn up consequent upon which the learned Special court issued a non-bailable warrant of arrest and considering the fact that he was on bail for a temporary period, a direction should be issued to the petitioner to surrender before the learned court below and apply for bail. Mr. Mohapatra, learned counsel for the State submits that

the petitioner may apply for regular bail as he is involved in an offence under the POCSO Act.

5. Considering the limited prayer, CRLMC stands disposed of with a direction to the petitioner to surrender before the court of learned A.D.J.-cum-Special Judge, Bhadrak in connection with Special POCSO Case No.40 of 2019 and in the event he surrenders and applies for bail, the court below shall consider the same and pass appropriate orders thereon as per and in accordance with law.

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

(R.K. Pattanaik)
Judge

TUDU

