

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14734 of 2022

***Mena @ Minatirani Ghosh &
another***

Petitioners
....
Mr. Amulya Ratna Panda, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. Debasish Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
02.12.2022**

Order No.

01. 1. Heard the learned counsel for the Petitioners and the State.
2. By means of this application under Section 438 Cr.P.C., the Petitioners seek grant of anticipatory bail in apprehension of arrest for their alleged involvement in the offence under Sections 363/366/365/376(2)(n)/506/109/34, I.P.C. and Section 6 of the POCSO Act, in connection with Balasore Town P.S. Case No.206 of 2019 corresponding to Special Case No.272(A) of 2019 pending in the court of the learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Balasore.
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 anticipatory bail while disposing the application. However, it is directed that in the event the Petitioners surrender and move for

bail 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 but by its own wisdom.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida

