

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9366 of 2020

Jayaram Bhadra

....

Petitioner

Mr. P. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
02.05.2022

Order No.

07.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Learned counsel for the State on instruction submits that notice to the informant has been duly served intimating her about the pendency of this proceeding and her right to participate in the same.
4. None appears for the informant when the matter is called.
5. The petitioner is an accused in Special Case No.89 of 2019 on the files of learned Additional Sessions Judge-cum-Special Judge, Keonjhar, arising out of Ghatgaon P.S. Case No.178 of 2019, under Sections 376-AB/506 of IPC and read with Section 6 of the POCSO Act and is in custody since 06.11.2019.

6. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Keonjhar, by order dated 07.12.2020 in the aforementioned case, the present BLAPL has been filed.

7. On examination of the 164 Cr.P.C. statement of the victim and the medical examination report and taking into account the criminal proclivity of the petitioner, this Court is not inclined to exercise its discretion under 439 Cr.P.C.

8. Accordingly, the BLAPL application stands dismissed.

Santoshi



(V. NARASINGH)
Judge