

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11553 of 2022

Diptikanta Jena

....

Petitioner

Mr. D. Sethy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.12.2022

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in Special Case No.253 of 2022 pending on the file of learned ADJ-cum-Special Court under POCSO Act, Balasore, arising out of Nilgiri P.S. Case No.213 of 2022, for commission of offence under Sections 363/376(2)(n) IPC and Section 6 of the POCSO Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned ADJ-cum-Special Court under POCSO Act, Balasore by order dated 15.11.2022 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 27.09.2022 and as charge sheet has been filed on 25.11.2022, his further continuance in custody is not warranted.
5. Learned counsel for the State opposes the prayer for bail.

6. Perused the order of rejection and the statement of the victim recorded under Section 164 Cr.P.C.
7. Considering the tenor thereof and filing of the charge sheet, 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. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS

