

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10954 of 2021

Sarat Rout @ Papu

.... ***Petitioner***
Mr. S.K. Kanungo, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. P.K. Pattnaik, A.G.A.

CORAM:
JUSTICE G. SATAPATHY

ORDER

06.12.2022

Order No.

10. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Uditnagar P.S. Case No.229 of 2021 corresponding to Spl. G.R. Case No.144 of 2021 pending in the file of learned Additional District Judge-cum- P.O., Spl. Court (POCSO), Sundargarh for commission of offences punishable U/Ss. 376(3), 376(2)(n) IPC r/w Section 4 and 8 POCSO Act, on the allegation of licking the genitalia of the victim.
3. In the course of hearing of the bail application, Mr. S.K. Bhanjadeo, learned counsel for the Petitioner submits that although the Petitioner having detained in custody for more than one year, but trial is yet to progress and the Petitioner was earlier released on interim bail and he has not misused the liberty so granted to him. It is further submitted that the present case has been foisted by the informant only to satisfy his personal vendetta and, therefore, the allegation against the Petitioner being unfounded, he may kindly be released on bail.

4. On contrary, Mr. P.K. Pattnaik, learned A.G.A., submits that the allegation against the Petitioner is not only serious but also the demonstrates his perverted mind and, thereby, the Petitioner is not entitled to bail.

5. Considering the rival submissions made, the nature and gravity of accusations raised against the Petitioner as also the gravity of offence alleged and taking into consideration the specific allegation against the Petitioner showing depravity of mind and regard being had to the age of the victim, this Court considers it undesirable to grant bail to the Petitioner.

6. Hence, the bail application of the Petitioner stands rejected. Trial be expedited as submitted by the learned counsel for the Petitioner and the Petitioner may renew his prayer for bail after examination of the victim.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

