

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.11125 of 2021

Subrat Kumar Samal

....

Petitioner

Mr. Asutosh Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. D.R. Parida, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

25.01.2022

Order No.

- 01.
1. This matter is taken up by video conferencing Mode.
 2. The Petitioner being in custody in connection with Colliery P.S. Case No.422 of 2020 corresponding to Special (POCSO) Case No.79 of 2020 on the file of learned Special Judge (POCSO), Angul, running for commission of offence under Sections-376(2)(n)/506, I.P.C. read with section 6 of the POCSO Act and section 66-E/67A of the I.T. Act, has filed this application under Section 439 of the Cr.P.C. for his release on bail in the above mentioned case.
 3. Heard learned counsel for the Petitioner and learned counsel for the State.
 4. Considering the submissions made and on going through the materials on record and as also the surrounding circumstances; while being not inclined to grant of bail to the Petitioner at this stage; this application is disposed of granting

liberty to the Petitioner to renew his prayer for grant of bail before the Trial Court after examination of the victim in the trial. The Trial Court is directed to take all such effective steps as provided in law for early examination of the above witness so as to enable the Petitioner to early exercise the liberty as aforegranted.

5. The BLAPL is accordingly disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(D. Dash)
Judge.