

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12459 of 2022

Kuna Behera* *Petitioner

Mr.S.K. Mohanty, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. R.N. Mishra,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
22.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. in connection with Kabisuryanagar P.S. Case No.264 of 2022 corresponding to G.R. Case No.94 of 2022 pending in the Court of learned Addl. Sessions Judge -cum- Special Court under POCSO Act, Berhampur for offences punishable under sections 363/376(2)(n)/294/323/341 of the Indian Penal Code and section 6 of the POCSO Act.

The prayer for bail of the petitioner was rejected by the learned Additional Sessions Judge -cum- Special Judge (Vigilance), Cuttack vide order dated 19.05.2022.

In view of the age of the victim and her 164 Cr.P.C. statement and the nature and gravity of accusation against the petitioner, while not inclining to grant bail to the petitioner and liberty is granted to the petitioner to renew his prayer for bail after examination of the victim in the learned trial Court.

The BLAPL stands disposed of.

(S.K. Sahoo)
Judge

PKSahoo

