

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16183 of 2022

Niranjan Das

....

Petitioner

Mr. Jayanta Kumar Majhi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

22.12.2022

Order No.

- 01.
1. Heard the learned counsels for the Petitioner and the State.
 2. By means of this application under Section 438 Cr.P.C., the Petitioner seeks grant of anticipatory bail in apprehension of arrest for his alleged involvement in the offence under Sections 363/376(2)(n)/376(3) of the I.P.C. and Section 6 of the POCSO Act, in connection with Khantapada P.S. Case No.264 of 2016 corresponding to Spl. Case No.252 of 2020 pending in the court of learned Addl. Sessions Judge-cum-Spl. Judge (POCSO), Balasore.
 3. Having regard to the allegations in the F.I.R., there appears material in the case with regard to the offence under the POCSO Act and, as such, it is not desirable for this Court to grant anticipatory bail while disposing the application. However, it is directed that in the event the Petitioner surrenders and moves for bail, the learned court in seisin over the matter shall dispose of the

same on its own merit being alive of the position of law on bail, as far as possible taking into consideration the materials on record as well as other documents available on record by its own wisdom on the very same day as far as practicable, without being influenced by any observations made by this Court.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida

