

Kabiraj Behera

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Petitioner

-Vrs.-

State of Odisha

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Opp. Party

02. 26.02.2021

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

None appears on behalf of the petitioner.

This is an application under section 439 of Cr.P.C. in connection with C.T. Case No.57 of 2018 arising out of Khajuripada P.S. Case No.62 of 2018 pending in the Court of learned Addl. Sessions Judge – cum- Special Judge (POCSO), Phulbani for offence punishable under section 451/354-A (2) of the Indian Penal Code read with section 10 of the POCSO Act.

The petitioner moved an application for bail before the Court of Addl. Sessions Judge –cum- Special Judge (POCSO), Phulbani which was rejected on 13.01.2021.

The earlier bail application of the petitioner in BLAPL No.4837 of 2020 was rejected taking into account the statement of the victim and the petitioner was given liberty to renew his prayer for bail after examination of the victim. It appears that the victim has already been examined and the learned counsel for the petitioner has annexed the statement of the victim as Annexure-2 and the victim who is a minor girl and a student has supported the prosecution case.

In view of the available material on record, while

not inclining to grant bail to the petitioner but taking into account the period of detention of the petitioner in judicial custody since 02.08.2018, I direct the learned trial Court to expedite the trial and conclude the same within a period of six months from the date of receipt of the order.

Accordingly, the BLAPL is disposed of.

A copy of the order be sent to the learned trial Court for compliance.

Urgent certified copy of this order be granted on proper application.

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S.K. Sahoo, J.