

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5563 of 2022

Sibashakti Nahak

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. P. B. Tripathy,
Addl. Standing Counsel*

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

**ORDER
07.02.2023**

Order No.

08. 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 G.R. Case No.28 of 2022 arising out of Gangapur P.S. Case No.85 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) of the Indian Penal Code, sections 67A and 67B of the Information Technology Act and section 6 of the POCSO Act.

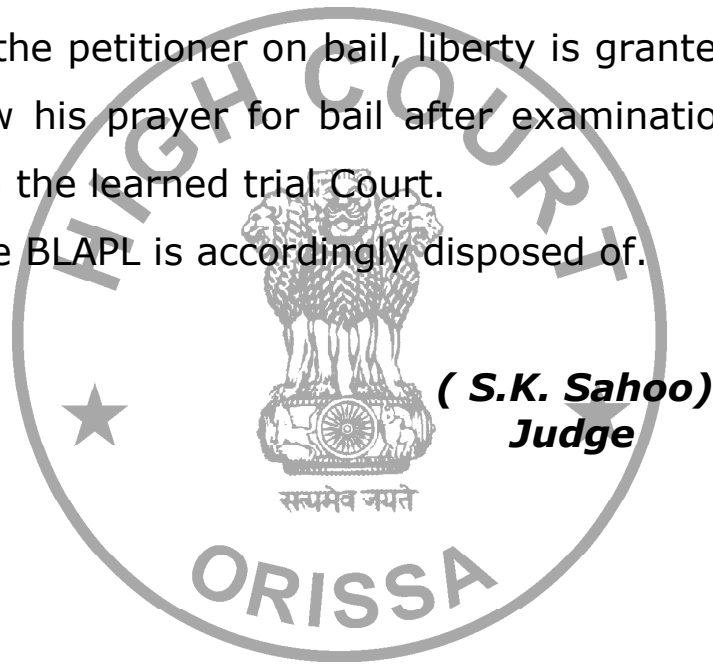
The prayer for bail of the petitioner was rejected by the learned Addl. Sessions Judge -cum- Special

Court under POCSO Act, Berhampur vide order dated 07.05.2022.

Learned counsel for the State on instruction submitted that the mobile phone of the petitioner has been seized and it has been sent to the Director, State Forensic Science Laboratory, Rasulgarh, Bhubaneswar for examination and the report is awaited.

Considering the submissions made by the learned counsel for the respective parties and the materials available on record, while not inclining to release the petitioner on bail, liberty is granted to him to renew his prayer for bail after examination of the victim in the learned trial Court.

The BLAPL is accordingly disposed of.



PKSahoo