
(2021) 07 OHC CK 0024
In the Orissa High Court
Case No : Bail Application No. 2226 Of 2021

Aman Barla

APPELLANT

Vs

Laten Hemrom

RESPONDENT

Date of Decision : 02-07-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 164, 439
Indian Penal Code, 1860 — Section 34, 294, 376(2)(n), 376(3), 506
Protection of Children from Sexual Offences Act, 2012 — Section 6

Citation : (2021) 07 OHC CK 0024

Hon'ble Judges : S. K. Sahoo, J

Bench : Single Bench

Advocate : D.K. Mohapatra, P. Tripathy,

Final Decision : Dismissed

Judgement

S. K. Sahoo, J

This matter is taken up by video conferencing 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 Rajgangpur P.S. Case No.409 of 2020 corresponding to Special G.R. Case

No.184 of 2020 pending in the Court of learned Additional Sessions Judge -cum- Special Court (POCSO), Sundargarh for alleged commission of

offences under sections 376(2)(n)/376(3)/294/506/34 of the Indian Penal Code read with section 6 of the POCSO Act.

The prayer for bail of the petitioner has been rejected by the learned Additional Sessions Judge -cum- Presiding Officer, Special Court (POCSO),

Sundargarh by order dated 05.03.2021.

In view of the age of the victim which was fifteen years as on the date of

occurrence and her 164 Cr.P.C. statement in which she has implicated the petitioner in the commission of rape on her and the nature and gravity of the accusation, I am not inclined to release the petitioner on bail.

Accordingly, prayer for bail stands rejected.

The petitioner may renew his prayer for bail after examination of the victim in the trial Court.

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.

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