

(2023) 10 OHC CK 0125
In the Orissa High Court
Case No : Bail Application No. 11605 Of 2023

Arjun Bihari

APPELLANT

Vs

State Of Odisha And Another

RESPONDENT

Date of Decision : 18-10-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 164

Indian Penal Code, 1860 — Section 363, 366, 376(2)(n), 506

Protection of Children from Sexual Offences Act, 2012 — Section 4(2), 5 (1), 5(n), 6

Citation : (2023) 10 OHC CK 0125

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : G.Banji, D.K.Mishra

Judgement

Savitri Ratho, J

1. Since this is a case under Sections 363, 366, 376 (2) (n), 506 of IPC read with Section 4 (2)/6 read with Section 5 (1)/5 (n) of the POCSO Act, it is necessary to issue notice to the father of the victim, who has been impleaded as opposite party No.2 in this case.

2. Issue notice. Notice on behalf of the opposite party no.1 is accepted by Mr.D.K.Mishra, learned Addl. Govt. Advocate by registered post with A.D., requisites for which shall be filed within three working days. The notice shall be made returnable within four weeks.

3. List this matter on 06.12.2023.

4. Mr. Banji, learned counsel for the petitioner is directed to serve an extra copy of the brief on learned counsel for the State within three days, for sending the same to the informant through the IIC, Chandili P.S.

5. Mr.D.K.Mishra, learned Addl. Government Advocate is directed to inform the concerned I.O./I.I.C. to intimate the opposite party No.2 that the case is posted

to 06.12.2023 and in case he cannot engage an advocate, he can appear through video conferencing mode from the Police Station or the Virtual High Court at Rayagada on the next date for opposing the bail application.

6. Mr.Mishra, learned Addl. Government Advocate is directed to obtain the case diary alongwith the statement of the victim recorded under Section 164 Cr.P.C. as well as the written instructions regarding service of notice to the opposite party No.2.

.....