

(2024) 02 OHC CK 0194
In the Orissa High Court
Case No : Bail Application No. 946 Of 2024

Sadhab @ Sadhaba Malik

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 21-02-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 164, 439
Indian Penal Code, 1860 — Section 363, 366, 376(2)(n), 376(3)
Protection of Children from Sexual Offences Act, 2012 — Section 6

Citation : (2024) 02 OHC CK 0194

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : Satyabrata Senapati, S. Mishra

Judgement

Savitri Ratho, J

1. This application under Section 439 of Cr.P.C. has been filed in connection with Basudebpur P.S. Case No. 448 of 2023 corresponding to Spl. POCSO Case No. 91 of 2023, in the Court of the learned A.D.J.-cum-Spl. Court under POCSO Act, Bhadrak, where charge sheet dated 10.11.2023 has been submitted against the petitioner for commission of offences punishable under Section 363,366,376(2)(n), 376(3) of the IPC, read with Section 6 of the POCSO Act, 2012.
2. The prayer for bail of the petitioner has been rejected on 12.10.2023 by the learned District and Sessions Judge-cum-Special Court under POCSO Act, Bhadrak.
3. Issue notice to the informant. Requisites for issuance of notice to the informant through Registered Post with A.D shall be filed within three working days. The notice shall be made returnable within four weeks.
4. Ms. S. Mishra, learned Addl. Standing Counsel for the State shall send a copy of the bail application to the I.I.C, Basudebpur Police Station for serve on the informant. The IIC shall also inform the informant about the next date of posting

of the case and that he/she can appear in Court through counsel or from the Police Station through Video Conferencing mode or from the Virtual High Court to oppose/ support the prayer for bail.

5. List this case on 03.04.2024. It shall be indicated in the cause list that the matter will be taken up at 2.00 p.m. Case diary and statement of victim recorded under Section 164 of the Cr.P.C. be obtained in the meanwhile.

6. Copy of this order be handed over to Ms. S. Mishra, learned Addl. Standing Counsel for onward transmission to the IIC, Basudebpur Police Station..

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