
(2023) 10 OHC CK 0005
In the Orissa High Court
Case No : Bail Application No. 6489 Of 2023

Sipun @ Pravat Mallick

APPELLANT

Vs

State Of Orissa

RESPONDENT

Date of Decision : 03-10-2023

Acts Referred:

Indian Penal Code, 1860 — Section 34, 376(2)(i), 376(D), 506
Protection of Children from Sexual Offences Act, 2012 — Section 6
Odisha Prevention of Witch Hunting Act, 2013 — Section 5, 6

Citation : (2023) 10 OHC CK 0005

Hon'ble Judges : V. Narasingh, J

Bench : Single Bench

Advocate : K.K. Rath, H.K. Panigrahi

Final Decision : Disposed Of

Judgement

V. Narasingh, J

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. This The Petitioner is an accused in connection with Special G.R. Case No.18 of 2016, pending in the Court of learned Ad hoc Addl. District & Sessions Judge, FTSC (POCSO), Jagatsinghpur, arising out of Tirtol P.S. Case No.252 of 2016, for alleged commission of offence under Sections 376(2)(i)/376(D)/506/34 IPC and Section 6 of the POCSO Act and Section 5/6 of the Odisha Prevention of Witch Hunting Act.
3. It is submitted by the learned Counsel that the Petitioner was directed to be released on interim bail by order dated 17.08.2023 for a period of four weeks from the date of release.
4. It is stated by the learned Counsel that, the Petitioner has been suffering from various chronic diseases for which this application has been filed for interim bail.
5. The order sheet of the learned FTSC(POCSO), Jagatsinghpur dated 16.09.2023

indicating the surrender of the Petitioner in terms of the earlier interim order is taken on record.

6. While passing the order dated 17.08.2023, this Court has taken note that because of pendency of CRLMC at the instance of the co-accused the trial is lingering.

7. Since the Petitioner has not flouted the trust reposed in him and considering the submission of learned counsel for the State that the CRLMC still pending adjudication and in view of interim order passed by this Court, learned trial Court not in position to take up the matter, this Court on humanitarian grounds directs the Petitioner to be released on interim bail for a period of six weeks from the date of his release. Learned Court in seisin shall fix the terms.

8. It is needless to state that on expiry of the interim bail period, the Petitioner shall surrender on expiry of the interim period.

9. Accordingly, this I.A. stands disposed of.

10. Urgent certified copy of this order be granted in course of the day.

11. List this BLAPL on 31.10.2023...

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