



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.511 of 2025

Susanta Mohapatra

...

Appellant

Mr. A.K. Sahoo, Advocate

-versus-

State of Orissa

...

Respondent

Mr. R.B. Mishra, Addl. PP

Mr. M.K. Rath, Advocate (Informant)

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
30.06.2025

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This criminal appeal is directed against the impugned order dated 11.04.2025 passed by the learned Addl. Sessions Judge-cum-Special Judge, under POCSO Act., Nayagarh in Special TR Case No.08 of 2016 arising out of GR Case No.307 of 2015 refusing to grant bail to the appellant for commission of offences punishable under Sections 363/366(A)/376 of IPC.
3. Heard, Mr. A.K. Sahoo, learned Counsel for the appellant; Mr. M.K. Rath, learned counsel for the informant and Mr. R.B. Mishra, learned Addl. Public Prosecutor in the matter and perused the record.
4. The appellant was taken into custody on 10.03.2025 for jumping the bail on 05.09.2018 on which date NBWA was issued against the petitioner. It is not in dispute that the petitioner was earlier granted



bail by this Court on 01.03.2016 in BLAPL No.4561 of 2016. The petitioner must have felt the rigor of law by remaining in jail for flouting the order of this Court. It is also intimated by Mr. Mihir Kanta Rath, learned counsel for the informant that the victim right now resides with the appellant and they are blessed with two children.

5. In view of the above facts and after having considered the rival submissions and on going through the materials placed on record and regard being had to the pre-trial detention of the appellant in custody, this Court without expressing any view on merit considers it proper to admit the appellant to bail.

6. Hence, the criminal appeal stands allowed and the impugned order is, hereby, set aside. Consequently, the appellant-petitioner be released on bail on such terms and conditions as deems fit and proper by the learned Court in seisin over the matter including one condition that in case the appellant fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the appellant for offence U/S.269 of BNS, 2023 in accordance with law.

7. Accordingly, the CRLA stands disposed of.

(G. Satapathy)
Judge