IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10283 of 2025

Antara Nahak … ***Petitioner***

Mr. A. Tripathy, Advocate

-versus-

State of Odisha and another … ***Opposite Parties***

Mr. M.R. Patra, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
23.12.2025

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is an application U/S.483 of BNSS by the petitioner for grant of bail in connection with TR Case No. 200 of 2023 arising out of Nayagarh Sadar PS Case No. 113 of 2018 pending in the file of learned Addl. Sessions Judge-cum-Special Judge under POCSO Act, Nayagarh for commission of offences punishable U/Ss.366/376(2)(n) of IPC r/w Section 6 of POCSO Act, on the main allegation of committing rape and aggravated penetrative sexual assault upon the victim.

3. Heard, Mr. Amitav Tripathy, learned counsel for the Petitioner and Mr. M.R. Patra, learned Addl. Public Prosecutor in the matter and perused the record, but none appears for the Informant despite being duly intimated as apprised by learned Addl. PP.

4. Admittedly, the Petitioner is in custody since 15.09.2023, but the trial is yet to be concluded, however, it is reported by the IO that the victim has already expired. It is undisputed that unfortunately the victim could not be examined in the trial before her death. In that view of the matter and taking into consideration the nature and gravity of the offence as alleged against the petitioner vis-a-vis the accusations sought to be brought against him and regard being had to the non-conclusion of trial in this case despite long incarceration of the Petitioner and keeping in view the other circumstances on record in entirety including the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing any view on merits admits the Petitioner to bail.

5. Hence, the bail application of the Petitioner stands allowed and the Petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) only with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

6. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules.

Signature Not Verified
Digitally Signed
Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 24-Dec-2025 10:59:16

(G. Satapathy)
Judge

Priyajit