IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.435 of 2026

Ajit Kandhapani … ***Petitioner***

Mr. D. Sethi, Advocate

-versus-

State of Orissa … ***Opposite Party***

Mr. T.K. Acharya, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):09.04.2026

Order No.

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

2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Bisam Katak PS Case No.159 of 2025 corresponding to TR Case No.54 of 2025 pending in the file of learned Additional Sessions Judge-cum-PO SPL Court under POCSO Act, Rayagada, for commission of offences punishable U/Ss.64(2)(m)/77/65(1)/308(2)/351(2)/ 3(5) of BNS r/w Section 6 of POCSO Act, on the main allegation of committing rape and penetrative sexual assault upon the victim by threatening her.

3. Heard, Mr. Digambar Sethi, learned counsel for the petitioner and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter and perused the record. None appears for the victim despite being duly intimated as apprised by learned Addl. PP.

4. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the petitioner vis-à-vis

the accusations sought to be brought against him and regard being had to the pre trial detention of the petitioner in custody since 11.12.2025 with submission of charge-sheet in the meantime and the FIR being lodged after near about more than a year of occurrence and taking into account the other circumstances on record in entirety including the statement of the victim and keeping in view 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.25,000/- (Rupees Twenty-five 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 with following conditions:-

> *(i) the petitioner shall not contact the victim in any way or any manner and he shall not visit to the house or street of the victim till disposal of the case,*
>
> *(ii) the petitioner shall not threaten, induce, influence or coerce any of the witnesses including the family members of the victim acquainted with the facts of the case so as to dissuade them from disclosing such facts before the Court,*
>
> *(iii) the petitioner shall not follow the victim or loiter in or around the victim at any place in any manner, &*

(iv) the petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on a Sunday in each month in between 10 A.M. to 12 Noon for three(03) months from the actual date of release from the custody.

6. The I.I.C. of Jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated. This Court, however, reserves liberty to the informant and the State to file appropriate application for cancellation of bail, if any of the conditions are violated or a case for cancellation of bail is otherwise made out. It is made clear that in such event for being approached for cancellation of bail, the learned trial Court would be at liberty to pass appropriate order in accordance with law without further reference to this Court.

7. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Subhasmita

Signature Not Verified
Digitally Signed
Signed by: SUBHASMITA DAS
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 10-Apr-2026 11:21:16