IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.2592 of 2026

Tapan Kumar Mishra … ***Petitioner***

Mr. S.S. Bhuyan, Advocate

-versus-

State of Odisha … ***Opposite Party***

Mr. C. Mohanty, 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 Kundheigola PS Case No.046 of 2026 corresponding to Special CT Case No.03 of 2026 pending in the file of learned Additional Sessions Judge-cum-Special Judge, Deogarh, for commission of offences punishable U/Ss.75(1)(i) of BNS r/w Section 12 of POCSO Act, on the main allegation of sexually harassing the victim.

3. Heard, Mr. Sourav Suman Bhuyan, learned counsel for the petitioner and Mr. C. Mohanty, 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 13.02.2026 with substantial progress in investigation 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, but subject to certain conditions.

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 remain away from the victim.*

6. This Court, however, reserves the 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 11:21:17