IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.468 of 2026
CNR No. ODHC010361132026

Anuj Soreng ..... ***Appellant***

Represented by Adv. -
Rudra Narayan Parija

-versus-

State Of Odisha and another ..... ***Respondents***

Ms. B.K. Sahu, AGA

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
18.11.2026

Order No.

04. 1. This matter is taken up through Hybrid mode.

2. Heard learned counsel for the Appellant as well as learned counsel for the State. Perused the case diary as well as the statement of the Victim and the Social Investigation Report of the CICL.

3. The present appeal has been filed by the Appellant under Section 101(5) of the Juvenile Justice (Care & Protection of Children) Act, 2015 for release him on bail relating to Rajgangpur P.S. Case No.375 of 2025, corresponding to Special G.R. Case No.91/24 of 2025, pending before the learned Additional District Judge-cum-Children's Court, Sundergarh, for alleged commission of offence punishable under Sections 137(2), 70(2) of BNS read with Section 6 of the POCSO Act.

4. It is submitted by the learned counsel for the Appellant that the Appellant is in custody since 28.07.2025. He further submitted that in the meantime the investigation has been concluded and the

final charge-sheet has been filed. Learned counsel for the Appellant further submitted that in view of the provisions contained in Section 12 of the Juvenile Justice (Care & Protection of Children) Act, 2015 the Appellant be released on bail with or without surety, taking into consideration the fact that there exists no danger to the life of the CICL.

5. Further, referring to the allegation made in the FIR, learned counsel for the Appellant contended that one Sitesh, who is the principal accused in this case, kidnapped the Victim girl. Thereafter, there is an allegation that the Victim was gang raped by the principal accused as well as other accused persons including the present Appellant. He further submitted that the Appellant has been falsely implicated in the present case and that the Appellant had no role in the alleged crime. It was also contended that the Appellant, who happens to be a minor, helped the principal accused in kidnapping the Victim in this case. On such ground, learned counsel for the Appellant prayed for the release of the Appellant on bail.

6. Learned counsel for the State, on the other hand, objected the release of the Appellant on bail on the ground of gravity and heinousness of the crime. She further submitted that as per the statement of the Victim recorded under Section 183 of BNSS the present CICL committed rape on the Victim, therefore, he is equally liable along with all accused. She further submitted that the Appellant has been influenced by his peer group to commit this heinous crime. It was also submitted by the learned counsel for the State that due to lack of parental care the Appellant has turned into a criminal. Therefore, in the event the Appellant is released on bail, there is every likelihood that he might commit similar offences

again and that his family is unable to take care of the Victim. In such view of the matter, learned counsel for the State contended that the Appellant is not entitled to the protection under Section 12 of the Juvenile Justice (Care & Protection of Children) Act, 2015. Accordingly, it was prayed that the bail application of the Appellant be rejected at this stage.

7. Upon a careful consideration of the submissions made by the learned counsels appearing for both sides, further on a close scrutiny of the statement of the Victim recorded under Section 183 of BNSS, this Court found that the Victim has clearly implicated the present Appellant in the alleged crime. Moreover, the Victim has prescribed a specific role to the Appellant in the alleged crime and it has been categorically stated that the Appellant has committed rape on her forcibly. It has also been alleged by the Victim that the present Appellant recorded a video of the incident while the other accused persons committed rape upon her.

8. Perused the Social Investigation Report furnished before this Court which has been prepared by the Probation Officer DCPU, Sundergarh. In his report dated 05.09.2026 the Probation Officer has clearly stated that the CICL has committed the offence due to negative influence of his peer group and parental negligence. He has also observed that the Appellant wants to continue his study and there is no criminal antecedent found in the case of the juvenile Appellant. It has been advised that the CICL needs proper career counselling for his academic and overall betterment.

9. On a careful analysis of the factual background of the present case, further on a close scrutiny of the Social Investigation Report, it

appears that the juvenile Appellant is a 10th dropout and, under the bad influence of his peer group, he has committed the crime. In the aforesaid factual background, this Court also found that there has been parental negligence in the upbringing of the CICL. In such view of the matter, this Court is of the considered view that in the event the Appellant is allowed to go on bail and remain under custody of his parents, there is every likelihood that he may come into contact with the peer group who might adversely influence on the Appellant and there is every likelihood that the Appellant might commit crime again.

10. On an overall analysis of the factual scenario and on a close scrutiny of the Social Investigation Report, this Court is of the view that the Appellant requires further counselling at the observation home under the supervision of the Probation Officer / Child Welfare Officer. In such view of the matter, this Court is not inclined to release the Appellant on bail at this stage. However, it is further directed that proper counselling be provided to the Appellant at the observation home under the supervision of the Probation Officer / Child Welfare Officer. The learned trial Court is directed to expedite the trial and make every endeavor to conclude the same as expeditiously as possible.

11. Accordingly, the appeal stands disposed of.

Issue urgent certified copy as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

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Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 18-Nov-2026 19:18:28