IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.7631 of 2026
CNR No. ODHC010547402026

Amritpal Singh **.....** ***Petitioner***

Represented by Adv. - Gyana Ranjan Mahapatra, Dayananda Mohapatra(sr. Counsel),

-versus-

STATE OF ODISHA **.....** ***Opposite Party***

Represented by Adv. –

Mr. C. Mohanty, ASC

ASHREET BEHERA, A.PATRA, J.ROUT

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
05.11.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S. has been filed by the Petitioner for regular bail in connection with G.R. Case No.451 of 2026, arising out of Baliapanda P.S. Case No.102 of 2026, pending in the Court of learned J.M.F.C.-1, (Cognizance Taking),

Puri for alleged commission of offence punishable under Sections 69/64(1) of the BNS.

4. It is stated by the learned counsel for the Petitioner that the Petitioner, who is aged about 23 years, is languishing in custody since 19.06.2026. He further submitted that in the meantime, investigation has progressed substantially and a preliminary charge-sheet has already been filed keeping the investigation open. Learned counsel for the Petitioner further submitted that the Petitioner does not have any criminal antecedents and that he has been falsely implicated in the present case. He further contended that although the Petitioner does not belongs to State of Odisha, he is ready and willing to abide by any terms and conditions as would be imposed by this Court, in the event his release on bail.

5. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended as per the allegation the victim, who happens to be lady aged about 33 years, lodged the FIR before the Baliapanda police station, Puri which was registered for alleged commission of offence punishable under Section 69 of the BNS. On perusal of the record it appears that earlier the victim had also lodged the FIR before Office-in-Charge, Ghola Police Station, Kolkata which was registered as zero FIR and the same was transmitted to Baliapanda Police Station for further investigation. In the FIR it has been alleged by the Informant that the victim and the Petitioner had a love relationship, having known each other from a social media platform, The FIR further reveals that they met physically at Gurgaon, New Delhi in presence of the mother of the victim. Thereafter they both met in Puri and such relationship between them continued. The victim, in her FIR, alleged that she had a love relationship with the Petitioner and that the Petitioner had promised to marry the victim. On such false pretext, the

Petitioner kept physical relationship with the victim. Since the Petitioner did not respond to the victim and that it was found that the promise to marry was based on a false promise, the victim has lodged the FIR with a request to the police for further investigation.

6. Learned counsel for the Informant on the other hand objected to the release the Petitioner on bail. He further submitted that the allegation made in the FIR very serious and heinous in nature. Learned counsel for the Informant further contended that in the event the Petitioner is released on bail, there is every likelihood that he might threaten or harass the victim and her family members or even abscond from justice, as he does not belong to the State of Odisha. On such ground, learned counsel for the Informant objected to release the Petitioner on bail.

7. Learned counsel for the State on the other hand referring to the case diary as well as the statement of the witnesses and other relevant materials objected to the release of the Petitioner on bail. He further contended that in the meantime, investigation has been concluded and preliminary charge-sheet has been filed. Referring to the preliminary charge-sheet, learned counsel for the State contended that a case under the alleged section is well made against the Petitioner. He further submitted that the Petitioner, who had kept physical relationship with the victim by luring her with the promise to marry, has failed to fulfil his promise. Therefore, a case under Section 69 of the BNS is well made out against the present Petitioner. On such ground, learned counsel for the State prayed for rejection of the bail application of the Petitioner.

8. Having heard the learned counsels appearing for the respective Parties, on a careful examination of the nature and gravity of the allegation as well as the materials on record and the case diary, this

Court found that the statement of the victim has been recorded under Section 183 of the BNSS. On perusal of such record it appears that the victim, who is aged about 33 years, has supported the case of the prosecution. In her statement the victim has stated that she met with the Petitioner on 24.05.2025 and interacted with him for the first time on social media. Thereafter, they shared their telephone numbers and remained in touch. She has further stated that on 01.07.2025 they met from the first time physically at Gurgaon and the Petitioner proposed to marry the victim and committed to a long term relationship with the victim. She has further stated that after the relationship become intimate they had visited Kolkata near about four times. She has also admitted her love affair with the Petitioner during the aforesaid time. It has also been stated by the victim that the Petitioner promised to marry her and to substantiate their relationship, they had also visited Puri on 19.02.2026 and stayed in a hotel namely as 'Dreamland'. While staying at the said hotel, the Petitioner forcibly committed rape on her on 20.02.2026. After such physical relationship the Petitioner started to ignore the victim and decided not to honour the promise made to the victim for marriage. Though the victim made attempts to reach out to the Petitioner, the relationship turned sour and finally the victim was compelled to lodge this FIR making allegation as has been implicated in the FIR.

9. On a careful analysis of the factual background of the present case it appears that the Petitioner, who is aged about 23 years, and the victim, aged about 33 years, came in contact through a social media platform. Thereafter, a relationship developed between the two. It appears that the marriage between the two did not materialize despite promise being made by the Petitioner to the victim. However, it is not disputed that the relationship was initially consensual, but since the

promise made by the Petitioner was not fulfilled, such relationship turned sour. On perusal of the medical examination report, which is part of the case diary it appears that the medical examination report does not support the case of the victim that the Petitioner has committed rape on her. However, such medical report cannot be the sole basis to determine the veracity of the allegations and as to whether the Petitioner had committed rape on the victim.

10. On a prima facie examination of the materials on record, further on a careful scrutiny of the statement of the victim and other materials available on record and taking into consideration the period of custodial detention and the fact that the preliminary charge-sheet has already been filed and considering the fact that the Petitioner does not have any criminal antecedent, this Court is inclined to release the Petitioner on bail, subject to imposition of stringent conditions.

11. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter.

12. Additionally the learned trial Court shall impose the following conditions:-

I) The Petitioners shall also file an affidavit before the Trial Court with regard to indicating there his residential details other details like Aadhar No., Phone No. before the jurisdictional police station & further release of the Petitioners shall be subject to verification of such details as would be furnished by any relative of the Petitioners in the shape of an affidavit.

II. the Petitioner shall not indulge in any criminal activity

while on bail;

III. the Petitioner shall not make any attempt to tamper with any prosecution evidence or threaten whenever influence any of the prosecution witnesses;

IV. the Petitioner shall not threaten, harass or terrorize the victim and her family members in any manner whatsoever and shall make no attempt to come near the victim while on bail;

V) the Petitioner shall surrender all of his travel documents, including passport, before the trial Court at the time of his release on bail. In the event the Petitioner does not have any travel documents like passport, then he shall file a specific affidavit in that regard and shall cooperate for early conclusion of trial.

Violation of any of the conditions shall entail cancellation of the bail application.

13. It is further clarified that in the event the Petitioner is allowed to leave the jurisdiction of the trial Court, a suitable condition may be imposed by the learned trial Court before permitting the Petitioner to leave the jurisdiction of the trial Court.

14. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

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Reason: Authentication
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Date: 09-Nov-2026 19:22:01