IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.7610 of 2026
CNR No. ODHC010547442026

Tripati Pangi ..... ***Petitioner***

Represented by Adv. - Mangu Nandy

-versus-

State of Odisha & Anr. ..... ***Opposite Parties***

Represented by Adv. -Mr. T.K.Acharya, A.S.C. Manoranjan Das, Laxman Thapa, L.Moharana, D.Lenka

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **04.11.2026**

02. 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. (Special) Case No.37 of 2026, arising out of Malkangiri P.S. Case No.248 of 2026, dated 05.05.2026, pending in the Court of learned Additional Sessions Judge-Cum-Special Judge, Malkangiri for alleged commission of offence

punishable under Sections 64(2) (m), 65(1) & 351(3) of the BNS read with Sections 4(2) & 6 of the POCSO Act.

4. It is submitted by learned counsel for the Petitioner that the Petitioner has been in custody since 03.07.2026. He further contended that the investigation has been completed and the final charge-sheet has already been filed. Drawing attention of this Court to the subsequent developments in the case, learned counsel for the Petitioner submitted that the trial has commenced in the meantime and both the informant as well as the victim have already been examined. He further contended that both the informant and the victim have turned hostile and have not supported the case of the prosecution. On the aforesaid grounds, learned counsel for the Petitioner contended that the Petitioner may be enlarged on bail during pendency of the trial.

5. Learned counsel for the Informant, on other hand, submitted that the Informant does not intend to oppose the prayer for bail made on behalf of the Petitioner.

6. Learned Additional Standing Counsel on the other hand opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further contended that merely because the victim and the informant have turned hostile, several other prosecution witnesses are yet to be examined in the case. He further submitted that, in the event the Petitioner is released on bail, there is every likelihood of his absconding, which may consequently delay the conclusion of the trial.

7. Having regard to the submissions made by learned counsel for the respective parties and upon careful consideration of the rival submissions, further taking note of the fact that both the victim and the informant have turned hostile during trial and that the Petitioner has remained in custody since 03.07.2026, this Court is inclined to release the Petitioner on bail, subject to the imposition of stringent conditions.

8. 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. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any other conditions shall entail cancellation of the bail application.

9. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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Signature Not Verified
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