IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.7638 of 2026
CNR No. ODHC010544852026

Chhandacharan Singh ..... ***Petitioner***
Represented by Adv. -
Uma Shankar Patel

-versus-

STATE OF ODISHA ..... ***Opposite Party***
Represented by Adv.
– Mr. U.C. Jena, ASC

BLAPL No.7975 of 2026
CNR No. ODHC010561792026

Rakesh Tanty ..... ***Petitioner***
Represented by Adv. -
Jagabandhu Sahu

-versus-

STATE OF ODISHA ..... ***Opposite Party***
Represented by Adv.
– Mr. U.C. Jena, ASC

BLAPL No.8106 of 2026
CNR No. ODHC010544592026

Pancha @ Panchanan Nag ..... ***Petitioner***
Represented by Adv.
– Uma Shankar Patel

-versus-

STATE OF ODISHA ..... ***Opposite Party***
Represented by Adv.
– Mr. U.C. Jena, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
03.11.2026

Order No.

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

2. Both the applications are taken up together since arises out of the same FIR and the nature of allegation against each of the Petitioners is almost identical.

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

4. Both the present bail applications under Section 483 of B.N.S.S. has been filed by the Petitioners for regular bail in connection with Special G.R. Case No.105 of 2026, arising out of Sadar P.S. Case No.332 of 2026, pending in the Court of learned Addl. District Judge-cum-P.O., Special Judge (POCSO), Sundargarh for alleged commission of offence punishable under Sections 126(2)/296/115(2)/74/76/351(3)/3(5) of the BNS.

5. It is stated by learned counsel for the Petitioners that the Petitioners are languishing in custody since 23.06.2026. He further contended that in the meantime, investigation has been concluded and final charge-sheet has been filed on 17.08.2026. On perusal of the record it appears that despite valid service of notice the Victim/Informant are not present in Court. However, a defence counsel engaged by the Legal Aid Defence Counsel on behalf of the Informant/Victim is present in Court.

6. Learned counsel appearing for the LADC on the other hand contended that the Victim and the Informant object to the release the

Petitioner on bail on the ground that in the event the Petitioners are released on bail, they apprehend danger to their life. As such, the learned counsel appearing for the Victim/Informant objected to the release the Petitioners on bail, and accordingly, prayed for rejection of the bail application.

7. Learned Additional Standing Counsel on the other hand objected to the release the Petitioners on bail on the ground of gravity and seriousness of the allegation. He further contended that that the victim, who is a minor girl, was abused and assaulted by the present Petitioner. He further submitted that in the event the Petitioner is released on bail there exists a danger to the life of the victim. On such ground, learned counsel for the State prayed for rejection of the bail application.

8. Perused the case diary as well as the statement of the victim recorded under Section 183 of BNSS. On perusal of the statement of the victim it appears that the accused persons abuse her in filthy language and she was ill-treated by the accused persons. The victim has specifically alleged that the accused persons caught hold of her and touched her chest. They also tried pulling down her pants she was also trying to pull down her pant. Since the aunt of the victim was present at the spot, she came to her rescue.

9. Taking into consideration the learned counsel for the respective parties and on careful examination of the nature and gravity of the allegation as well as the statement of the victim recorded under Section 183 of BNSS and further taking note of the period of custodial detention as well as the fact that charge-sheet has already been filed, this Court is inclined to release the Petitioners on bail subject to imposition of stringent conditions.

10. Hence, it is directed that the Petitioners be released on bail in the aforesaid case on furnishing a bail bond of Rs.40,000/- (Rupees Forty thousand) each with two solvent sureties each of the like amount to the satisfaction of the learned court in seisin over the matter.

11. the release of the petitioners shall also be subject to the following conditions:-

I. The Petitioners shall not indulge in any criminal activities while on bail;

II. The Petitioners shall appear before the Court as and when their presence is required for the purpose of the trial.

III. The Petitioners shall not harass and threatened by any of the prosecution witnesses including the victim/informant and their family members;

IV. The Petitioners shall stay away from the victim, and in the event they make any attempt to contact the victim or talk to her, it shall be open to the learned trial Court to take such accused persons back into custody.

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 of the conditions imposed by this Court or Court in seisin over the matter shall entail cancellation of the bail application.

12. Accordingly, all the BLAPLs are, accordingly, disposed of.

(A.K. Mohapatra)
Judge

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Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 05-Nov-2026 13:22:17