IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9814 of 2026
CNR No. ODHC010730232026

Ruchira Jhankar **.....** ***Petitioner***

Represented by Adv. - Pradeep Kumar Mohapatra

-versus-

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

Represented by Adv. - Smt. S.Nayak, A.S.C.

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

ORDER

Order No. **03.11.2026**

01. 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.867 of 2026, arising out of P.S. Case No.418 of 2026, pending in the Court of learned J.M.F.C., Banarpal for alleged commission of offence punishable under Sections 69/296/351(3)/3(5) of the BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner has been in custody since 19.07.2026. He further

contended that the investigation has been completed and the final charge sheet has been filed on 16.09.2026. Learned counsel further submitted that, although the charge sheet has been filed, there is no likelihood of commencement of the trial in the near future. It was also brought to the notice of this Court that the Petitioner belongs to the locality and, as such, there is no likelihood of his absconding.

5. Learned counsel for the Petitioner, further referring to the allegations made in the F.I.R., submitted that the Petitioner has been falsely implicated in the present case at the instance of the informant. He further submitted that the victim-informant, aged about 30 years, has levelled false allegations against the present Petitioner. Learned counsel further contended that the Petitioner and the informant had been in a love relationship for the last three years and had shared a consensual physical relationship. He also submitted that the allegations made by the victim are not corroborated by the medical evidence. On the aforesaid grounds, particularly in view of the fact that the charge sheet has already been filed and there is no likelihood of commencement of the trial in the near future, learned counsel for the Petitioner prayed that the Petitioner be enlarged on bail on such stringent terms and conditions as this Court may deem fit and proper.

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. She further contended that the Petitioner, on the promise of marriage, had established a physical relationship with the informant. However, as the Petitioner subsequently failed to marry the informant-victim, being aggrieved by such conduct of the Petitioner, she lodged the F.I.R. Taking into consideration the gravity and seriousness of the allegations, learned

Additional Standing Counsel for the State submitted that the bail application of the Petitioner should be rejected at this stage.

7. Having heard learned counsel for the respective parties and upon careful consideration of the surrounding facts and circumstances as well as the materials available on record, this Court has also taken note of the statement of the victim recorded under Section 183 of the B.N.S.S., the case diary and the medical examination report of the victim. On such consideration, this Court does not find any inconsistency between the statement of the victim and the medical evidence. Moreover, taking into account the age of the victim, as opined by the Medical Officer at the time of her examination, to be between 25 and 35 years, and further considering the fact that the Petitioner has been languishing in custody since 19.07.2026, the relationship between the parties prima facie appears to have been consensual and the charge sheet has already been filed in the meantime, this Court is inclined to release the Petitioner on bail, subject to imposition of stringent terms and conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.40,000/- (Rupees Forty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

I) He shall appear before the learned trial court as and when required for the purpose of participating in the trial.

III) He shall not harass, threaten or intimidate the victim, her family members or any of the prosecution

witnesses in any manner whatsoever.

9. 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.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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