IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10373 of 2026
CNR No. ODHC010764122026

Debobrata Ghosh **.....** ***Petitioner***

Represented by Adv.
- Bhabani Shankar Dasparida

-versus-

State Of Odisha& another **.....** ***Opposite Parties***

Represented by Adv.
- Mr. T.K. Acharya, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
19.11.2026

Order No.

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

2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State.

3. This is an application under Section 483 of the BNSS filed by the Petitioner for release on bail in connection with C.T. Case No. 753/2026 arising out of Balasore Town P.S. Case No. 265/2026 pending in the court of learned S.D.J.M., Balasore for commission of offence punishable under Sections 296/126(2)/64(2)(m)/74/75(2)/77/ 78(2)/351 (4) of BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is aged about 22 years is a student prosecuting his study. It

is further submitted by learned counsel for the petitioner that the petitioner is in custody since 17.07.2026 and in the meantime, investigation has been concluded and charge-sheet has already been filed by the Investigating Officer. The learned counsel for the Petitioner at the outset contended that the Petitioner has been falsely implicated in the present case.

5. The learned counsel for the Petitioner, further referring to the allegations made in the F.I.R., contended that the F.I.R. has been lodged at the instance of the informant and her family members with an ulterior motive to pressurize the Petitioner into marrying the informant. He further submitted that the Petitioner and the informant are known to each other and were involved in a love relationship. It was also submitted that they had developed a consensual physical relationship. Learned counsel further contended that the informant is a major and is sufficiently mature to make her own decisions, including with regard to entering into a physical relationship. However, as the proposed marriage did not materialize, the present F.I.R. has been lodged against the Petitioner. In view of the aforesaid facts and circumstances, the learned counsel for the Petitioner submitted that no prima facie case under the alleged offences is made out against the Petitioner. Accordingly, he prayed for release of the Petitioner on bail on such stringent terms and conditions as this Court may deem just and proper.

6. The learned counsel appearing for the State vehemently opposed the prayer for bail of the Petitioner on the ground of the gravity and seriousness of the allegations. He further submitted that in view of the statement of the victim recorded under Section 183 of the BNSS, a clear case is made out under Section 64(2) of B.N.S.

against the Petitioner. In the event, the Petitioner be released on bail, there is every likelihood that he might abscond and threaten or terrorize the victim and her family member. On the aforesaid grounds, the learned counsel for the State opposed the release of the Petitioner on bail.

7. Having heard the learned counsels for the respective parties, considering the nature of allegation, materials available on record, however close scrutiny of the Statement of the victim recorded under Section 183 of the B.N.S.S, this Court is not inclined to grant bail to the Petitioner at this juncture.

8. However, while disposing of the present bail application, it is directed that strong steps to be taken to record the deposition of the victim by the learned Trial Court. This Court further grants liberty to the Petitioner to move a fresh bail application after examination of the victim by the learned Trial Court.

9. With the aforesaid observation, the bail application stands disposed of.

(Aditya Kumar Mohapatra)
Judge

Binayak

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Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Nov-2026 19:55:40