IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.968 of 2026

CNR No. ODHC010784542026

Rudra Nahak **.....** ***Appellant***

Represented by Adv. - Jyotirmaya Sahoo

-versus-

State Of Odisha and another **.....** ***Respondents***

Mr. C. Mohanty, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
18.11.2026

Order No.

02. 1. This matter is taken up through Hybrid mode.

2. Heard learned counsel for the Appellant as well as learned counsel for the State. Perused the case record as well as the prayer made therein.

3. The present appeal has been filed by the Appellant under Section 14-A of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for release him on bail relating to Khallikote P.S. Case No.651 of 2026, corresponding to Special G.R. Case No.19 of 2026, pending before the learned Additional Sessions Judge-cum-Special Judge, Khallikote, for alleged commission of offence punishable under Sections 126(2), 296, 115(2), 109, 351(3),

3(5) of BNS read with Sections 3(1)(r), 3(1)(s), 3(2)/(va) of S.C. & S.T. (POA) Act.

4. On perusal of the record, it appears that despite issuing notice to the Victim such notice could not be served on the Victim as she was found absent at her address. Learned counsel for the Appellant, at the outset, contended that the Appellant is languishing in custody since 19.08.2026. He further submitted that in the meantime the investigation has been concluded and the final charge-sheet has been filed. It was also brought to the notice of this Court that the Appellant belongs to the locality, therefore, there is no chance of his absconding.

5. With regard to the injuries sustained by the injured, learned counsel for the Appellant contended that the injured has sustained two simple injuries. Therefore, the offence under Section 109 of BNS not attracted to the facts of the present case. He further contended that no offence under Section 3 of the S.C. & S.T. Act is also made out against the present Appellant. He further submitted that the Appellant has been falsely implicated in the present case. Learned counsel for the Appellant further submitted that although the Appellant is having some criminal antecedents which are for petty offences, however, the Appellant is ready and willing to abide by any stringent terms and conditions that will be imposed by this Court in the event of his release on bail.

6. Learned counsel for the State, on the other hand, objected to the release of the Appellant on bail on the ground of gravity and seriousness of the allegation. He further submitted that in the event the Appellant is released on bail, there is every likelihood that he

might eight abscond or commit similar criminal offences. On such ground, learned counsel for the State prayed for rejection of the bail application of the Appellant.

7. Having heard the learned counsels appearing for the respective parties and on a careful examination of the nature and gravity of the allegation, further taking note of the fact that the charge-sheet has already been filed and that the Appellant is languishing in custody since 19.08.2026 and that there is no possibility of the trial being commenced in the near future, this Court is inclined to release the Appellant on bail subject to the Appellant furnishing bail bond of Rs.45,000/- (Rupees Forty-five Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. The release of the Appellant shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter.

8. The release of the Appellant shall also be subject to following conditions:-

i) the Appellant shall not harass, threaten or terrorize the Victim and her family members in any manner;

ii) shall appear before the local police station once in a fortnight for a period of three months preferably on a Sunday in between 10:00 A.M. to 1:00 P.M., thereafter, once in a month for further period of three months.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. Accordingly, the CRLA is disposed of.

Issue urgent certified copy of the order as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 18-Nov-2026 19:18:29