



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.363 of 2026

Rudra Swain

... ***Petitioner***

Mr. J.K. Panda, Advocate

-versus-

State of Odisha and another

... ***Opposite
Parties***

Mr. T.K. Acharya, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL): 24.03.2026

Order No.

02.

1. This is a bail application U/S.483 of the BNSS by the petitioner for grant of bail in connection with Buguda PS Case No.513 of 2025 corresponding to GR Case No.122 of 2025 pending in the Court of learned Addl. District Judge-cum-Special Court under POCSO Act, Berhampur for commission of offences punishable U/Ss. 64(2)(m)/ 65(1)/ 3(5) of BNS r/w Sections 6/17 of the POCSO Act, on the main allegation of committing rape and aggravated penetrative sexual assault upon the victim.

2. Heard, Mr. Jugala Kishore Panda, learned counsel for the petitioner and Mr. T.K. Acharya, learned Addl. PP in the matter and perused the record, but none appears for the victim despite being duly intimated as apprised by learned Addl. PP.

3. After having considered the rival submissions and taking into consideration the nature and gravity of the offence as alleged against the petitioner vis-a-vis the accusations sought to be brought against him and regard being had to the pre-trial detention of the petitioner in custody since 08.08.2025 with submission of charge sheet in the meantime and taking into account the other



circumstances on record in entirety including the statement of the victim and keeping in view the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing any view on merits admits the Petitioner to bail.

4. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) only with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it with following condition:-

*(i) The petitioner shall cooperate in the trial by attending the Court on each date of posting unless his attendance is dispensed with by the learned trial Court and **In case the petitioner fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for offence U/S.269 of BNS, 2023 in accordance with law.***

5. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Priyajit