



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.802 of 2025

Dilip Kumar Satapathy @ Mitu ..... Petitioner  
Mr. S. Dash, Advocate  
-Versus-

State of Orissa ..... Opposite Party  
Mr. R. Pradhan, ASC

CORAM:  
MR. JUSTICE R.K. PATTANAIK

ORDER  
25.03.2025

Order  
No.  
02.

1. Heard learned counsel for the petitioner and State.
2. Instant petition under Section 483 BNSS is filed for release of the petitioner on bail in connection with Special G.R. Case No.154 of 2023 pending in the file of learned ADJ-cum- Special Court under POCSO Act, Cuttack corresponding to Jagatpur P.S. Case No.391 of 2023 on the grounds stated.
3. Mr. Dash, learned counsel for the petitioner refers to the victim's statement recorded under Section 164 Cr.P.C. and also a copy of her deposition in Special G.R. Case No.154 of 2023 to claim that it is a case of elopement, for which, the report as at Annexure-1 was lodged by the informant mother. It is submitted that the petitioner was in visiting terms with the family of the victim and as per the latter's version, she fell in love and thereafter, eloped with him. Referring to a copy of the deposition of the victim examined as P.W.3, it is further submitted by Mr. Dash, learned counsel that she left her home and accompanied the petitioner and both stayed together as husband and wife, till such time, she was rescued by the local Police. With such submission, Mr. Dash, learned



counsel pleads for release of the petitioner, who has been custody from 23<sup>rd</sup> September, 2023 but the same is seriously opposed by Mr. Pradhan, learned ASC for the State on the ground that he is involved in the alleged mischief committed against a minor. Admittedly, the victim was a minor by the time the report was lodged. The details of the circumstances leading to lodging of the report i.e. Annexure-1 are revealed from her statement under Section 183 BNSS and also deposition before the learned Special Court. The Court finds that the petitioner and the victim after such acquaintance developed relationship and stayed for some days at Rourkela under one roof like husband and wife and thereafter, she was rescued. As it appears, the trial is in progress but then, the victim is already examined. Considering the same and the fact that a relationship was developed between the two leading to the missing of the victim and thereafter, lodging of the FIR i.e. Annexure-1 and in the meantime, as further appears, the trial has progressed to a considerable extent, the Court, recording the objection of Mr. Pradhan, learned ASC for the State and for the facts narrated herein before, is inclined to allow the accused to go on bail with conditions.

4. Accordingly, it is ordered.

5. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioner is directed to be released on bail in connection with Special G.R. Case No.154 of 2023 arising out of Jagatpur P.S. Case No.391 of 2023 subject to him furnishing a bail bond of Rs.40,000/-(rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned ADJ-cum- Special Court under POCSO Act, Cuttack, who shall impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall



not cause any harm or injury to the minor victim after being released and shall attend the learned Special Court on each date of posting of the trial without default. It is made clear that in case, any of the conditions is or are violated by the petitioner, the same shall forthwith entail cancellation of bail.

6. The BLAPL is disposed of.
7. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)  
Judge

TUDU

Signature Not Verified

Digitally Signed  
Signed by: THAKURDAS TUDU  
Reason: Authentication  
Location: OHC, CTC  
Date: 26-Mar-2025 12:20:53

