



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1116 of 2026

Mahesh Barik

....

Petitioner

Mr. T. P. Mohapatra, Advocate

-Versus-

State of Orissa & another

....

Opposite Parties

Mr. S.N. Das, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

**Order
No.
02.**

**ORDER
23.03.2026**

1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioner seeking pre-arrest bail in connection with Krushnaprasad P.S Case No.133 of 2025 corresponding to Special G.R case No.77 of 2025 pending in the court of learned A.D.J-cum-Special Court under POCSO Act, Puri on the grounds stated.
3. Perused the FIR as at Annexure-1. It is submitted by Mr. Mishra, learned counsel for the petitioner that the present accused is not responsible for any such sexual assault, which has been alleged against one Bikash Mahanty revealed from the FIR itself. Considering the fact that an offence under Section 8 of the POCSO Act is alleged, notice was issued to the informant by order dated 23rd February, 2026. The case diary has not been received by the State. On a reading of the FIR and the alleged mischief since primarily directed against the above named accused, this Court is inclined to dispense with any such notice as was directed earlier and proceeds to dispose of the



ABLAPL. In so far as, the allegation in the FIR is concerned, the victim was taken to Puri with a promise of marriage given by the accused, namely, Bikash Mahanty and the petitioner, as it appears, assisted the said accused and nothing has been alleged against the petitioner, though according to the victim, the other accused attempted to rape her. The entire allegation is against the other accused not the petitioner. The petitioner claimed to have no other antecedent. Recorded the objection of the State opposing bail to the petitioner. Considering the fact that a case under Section 75 BNS has been registered with other allied offences besides Section 8 of the POCSO Act directed against the principal accused, this Court, in absence of the petitioner having past antecedent, is of the view that though the accused is not entitled to pre-arrest bail but he should be directed to surrender before the learned court below for being released with conditions imposed.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. It is directed that in the event, the petitioner surrenders before the learned A.D.J-cum-Special Court under POCSO Act, Puri in connection with Krushnaprasad P.S Case No.133 of 2025 corresponding to Special G.R case No.77 of 2025 within a fortnight from today, he shall be released on bail upon furnishing a bail bond of Rs.40,000/-(rupees forty thousand) with one solvent surety for the like amount with such other conditions besides the following, such as, he shall not be involved in any manner with the victim at the instance of the principal accused hereafter and



to furnish an undertaking at the local PS in that regard and to cooperate the I.O. in the investigation, till the same is over.

6. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

Rojina