



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1610 of 2026

Bidhan Sahoo@Sahu

....

Petitioner

Mr. P.R. Singh, Advocate

-Versus-

State of Odisha

....

Opposite Party

Ms. S. Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

23.03.2026

Order No.

01.

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 Parjang P.S. Case No.296 of 2023 corresponding to G.R. Case No.378 of 2023 pending in the court of learned J.M.F.C., Parjang on the grounds stated.
3. Perused the FIR as at Annexure-1. Referring to the report and the statement of the victim/informant recorded under Section 161 Cr.P.C., it is submitted by Mr. Singh, learned counsel for the petitioner that it is a case of consensual relationship and therefore, no case under Section 376(2)(n) I.P.C. is made out. Ms. Mohanty, learned counsel for the State submits that the case diary and statement of the informant/victim recorded before a Magistrate under Section 164 Cr.P.C. It is made to understand from the record that the informant and the petitioner had been in a committed relationship for some time and there was an attempt to solemnize their marriage but it has received objection from the



family of the petitioner, who subsequently avoided the victim. The statement of the witnesses recorded under Section 161 Cr.P.C. are also gone through. The parties were in a relationship and during that time they have had sexual encounters and it was admitted to be on consent in view of the version of the victim herself. Considering the above facts and the fact that the informant is a major and the FIR has been lodged only when her marriage with the petitioner could not be materialized and that he also avoided for the same, this Court, recording the objection of the State, is of the view that mediation between them should be explored and at the same time, though his plea for pre-arrest bail is not to be entertained, is of the view that he should be directed to surrender before the learned court below for being released with conditions in order to ensure that such mediation becomes successful.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL petition stands disposed of with a direction to the petitioner to surrender before learned J.M.F.C., Parjang within a fortnight from today and in the event, he surrenders in compliance thereof, shall be released on bail in connection with G.R. Case No.378 of 2023 on furnishing a bail bond of Rs.20,000/- (rupees twenty thousand) with one solvent surety for the like amount to the satisfaction of the court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case. Besides the following, it is directed that the petitioner and informant shall attend the DLSA, Dhenkanal on 30th March, 2026 for mediation and to receive



further orders and the report of such mediation shall be furnished to the court of learned J.M.F.C., Parjang for further orders according to law.

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

(R.K. Pattanaik)
Judge

Balaram