



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1652 of 2026

***Krishna Bathelia @
Bathilia***

....

Petitioner(s)

Mr. Sidhartha Sankar Ray-2, Adv.

-versus-

State of Odisha

....

Opposite Party(s)

Ms. Gayatri Patra, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

Order No.

02.

ORDER

08.05.2026

F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
11	19.01. 2026	Ambadola	G.R. Case No.26 of 2026, J.M.F.C., Muniguda	87/64(2)(m) of the BNS

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Parties.
3. The Petitioner, being in custody in connection with Ambadola P.S. Case No.11 dated 19.01.2026, corresponding to G.R. Case No.26 of 2026, pending in the Court of learned J.M.F.C., Muniguda, registered for the alleged commission of offences under Sections 87/64(2)(m) of the BNS, has filed this petition for his release on bail.



4. The case of the prosecution, in brief, is that the informant/victim lodged a written report before the police alleging therein that on 15.09.2025 at about 6:00 P.M., the Petitioner came to the backside of the house of the informant and asked to meet her. When the informant met him, he allegedly proposed to her and established physical relationship with her against her will. It is further alleged that on 19.09.2025, while the informant was returning from Rayagada Women's College, the Petitioner met her near the bus stand and, on the promise of marriage, took the informant on his motorcycle to village Tikiri, where he allegedly committed sexual intercourse with her. Hence, the case.

5. Learned counsel for the Petitioner submits that the Petitioner has been in judicial custody since 21.01.2026. It is further submitted that, from the allegations made in the FIR and the surrounding circumstances, the victim appears to have been a consenting party. Furthermore, the delay in lodging the FIR has not been properly explained by the prosecution. The allegations contained in the FIR are omnibus and general in nature and there is no specific allegation regarding any overt act forcibly committed by the present Petitioner. It is contended that the present case has been falsely instituted only to harass the Petitioner. Learned counsel further submits that the investigation of the case has



substantially progressed and the continued detention of the Petitioner is no longer necessary for the purpose of investigation. It is also submitted that the Petitioner is a permanent resident of the locality, has deep roots in society, and there is no likelihood of his absconding if released on bail. In the event the Petitioner is released on bail, he undertakes not to tamper with the prosecution evidence, not to influence or intimidate the prosecution witnesses, and to abide by any condition imposed by this Court. Accordingly, he prays for release of the Petitioner on bail.

6. Learned counsel for the State vehemently opposes the prayer for bail contending that the offences alleged are serious and heinous in nature. It is further contended that, if released on bail, there is every possibility that the Petitioner may terrorize or influence the victim and other prosecution witnesses and may also abscond, thereby hampering the course of trial. Accordingly, he prays for rejection of the bail application.

7. Considering the submissions made by the learned counsel for the parties, the nature of allegations without specific overt acts attributed to him, the period of detention undergone by the Petitioner since 21.01.2026, and the fact that investigation has substantially progressed and without expressing any opinion on the merits of the case, this Court is inclined to allow the prayer for bail.



8. Accordingly, it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions as may be fixed by the learned Court in *seisin* over the matter, subject to the following conditions:-

- i. the Petitioner shall appear before the learned trial Court on each date fixed;*
- ii. the Petitioner shall not directly or indirectly induce, threaten, promise or intimidate the informant/victim or any prosecution witness acquainted with the facts of the case;*
- iii. the Petitioner shall not tamper with the prosecution evidence or try to influence any witness;*
- iv. the Petitioner shall not leave the jurisdiction of the learned trial Court without prior permission;*
- v. the Petitioner shall not involve himself in any offence of similar nature while on bail.*

9. Violation of any of the above conditions shall entail cancellation of bail.

10. The BLAPL stands disposed of.

11. Issue urgent certified copy of this Order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge