



IN THE HIGH COURT OF ORISSA AT CUTTACK

JCRLA No. 25 of 2025

**Ananda Bhuyan @
Bhian**

.....

Appellant/Petitioner

Sk. Zafarulla. Advocate

-versus-

State of Orissa

.....

Respondent/Opp.Party

Mr.Sobhan Panigrahi, ASC

***Ms. Mandakini Panda,
Advocate (for the victim)***

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE S.S. MISHRA

Order No.

ORDER

10.12.2025

I.A. No. 99 of 2025

09. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This is an application under section 389 of Cr.P.C. for grant of bail.

The appellant-petitioner has been convicted for the offences punishable under sections 376(2)(i) and 376(2)(n) of the Indian Penal Code and section 6 of the POCSO Act and sentenced to undergo imprisonment for life and also to pay fine of Rs.10,000/- (rupees ten thousand) each, in default to undergo R.I. for six months for the offence under section 376(2)(i) of I.P.C. and no separate sentence has been awarded for the offences under section 376(2)(n) of I.P.C. and section 6 of the POCSO Act by the learned Addl. Sessions Judge -cum- Special Court under POCSO Act, Jharsuguda in T.R. No. 47 of 2017.



Learned counsel for the petitioner submitted that the appellant-petitioner is in judicial custody for more than eight years. He further submitted that the victim, who has been examined as P.W.2 has not fully supported the prosecution case for which she has been declared hostile. Learned counsel further submitted that a report has been called for from the Inspector in-charge of Laikera police station, which has been received wherein it is stated that the victim has already got married and delivered a female child, who has been adopted and therefore, the bail application may be favourably considered.

Learned counsel for the State has placed the report of Inspector in-charge of Laikera police station dated 25.09.2025 so also the evidence of the victim (P.W.2) wherein the victim has stated that she eloped with the petitioner on her own sweet will and further stated that she went with the petitioner with the desire that he would marry her and that she was not agreeable to marry the petitioner at present. Learned counsel further submitted that the victim was a minor at the time of occurrence.

Considering the submissions made by the learned counsel for the respective parties, the nature of evidence available on record and the evidence of the victim, while not inclining to release the petitioner on bail on merit, but taking into account his period of detention in judicial custody and absence of any chance for early hearing, we are inclined to release the



petitioner on interim bail for a period of three months from the date of release and he shall surrender before the learned trial Court on expiry of the interim bail period.

Let the petitioner be released on interim bail for the aforesaid period to the satisfaction of the learned trial Court i.e. Addl. Sessions Judge -cum- Special Court under POCSO Act, Jharsuguda in T.R. No. 47 of 2017 on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) with two solvent local sureties each for the like amount to his satisfaction with further terms and conditions as the learned Court may deem just and proper including the conditions that while on interim bail, the petitioner shall not indulge in any criminal activities and shall not try to come in contact with the victim or any of her family members. Violation of any of the conditions shall entail cancellation of bail.

Accordingly, the I.A. is disposed of.

Issue urgent certified copy as per Rules.

Let a free copy of this order be handed over to the learned counsel for the State, which will be forwarded to the Inspector in-charge of Laikera police station.

The order be communicated to the concerned Jail Superintendent as well as the learned trial Court by the Registrar (Judicial) forthwith.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge



JCRLA No.25 of 2025

10. List this matter in the week commencing from 23rd March, 2026.

Learned counsel for the appellant shall file the surrender certificate of the appellant in the meantime.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

PKSahoo