



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1819 of 2026

Junas Madki

.... Petitioner

Mr.Soumya Ranjan Das, Advocate

-versus-

State of Odisha

.... Opp. Party

Ms. Suvalaxmi Devi, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

Order
No.
02.

ORDER
07.05.2026

1. The petitioner is an accused in connection with Rajgangpur P.S. Case No.337 of 2024 corresponding to G.R. Case No.601 of 2024 registered for the alleged commission of the offences punishable under Sections 376(2)(n)/ 313/ 417 of the IPC, pending in the Court of the learned J.M.F.C., Rajgangpur. The petitioner had approached the learned Sessions Judge, Sundargarh in BLAPL No.60 of 2026 praying for grant of bail. The learned Court below vide its order dated 10.02.2026 rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of BNSS, 2023 praying for enlargement on bail.

2. Learned counsel for the petitioner, on instruction from the petitioner, submits that except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.



3. The prosecution case is that on 04.01.2024, the informant had been to her uncle's house situated at Ranibandha, Dhipatoli to attend a marriage function, where she met with the accused Junas Madki, who is the elder son of her own maternal uncle and talked with her despite she was not interested. Then he took her to his house and there, by force, he kept physical relation with her against her will. Thereafter, he used to visit her house at village Khatang and by giving assurance of marriage, kept physical relationship with her and she became pregnant of two months. After knowing about her pregnancy, when she disclosed the said fact to him, on 15.03.2024, he brought abortion medicine and administered to her and pregnancy was terminated. Thereafter, when the family members of both the sides were talking for their marriage, he fled away to avoid the marriage with her. Hence, the case.

4. During the investigation, the statement of the informant has been recorded under Section 164 of the Cr. P.C. She, in her statement, has stated that the petitioner is her maternal cousin brother and he kept physical relationship with her with a promise to marry her, as a result of which she became pregnant. The family members of both the sides compromised the matter and he agreed for marriage. However, the petitioner absconded. Therefore, the F.I.R. has been registered against the petitioner.

5. Learned counsel for the State opposed the prayer for bail and submits that the F.I.R. has been registered on 06.07.2024 and since then the petitioner has been



absconded investigation couldn't be concluded. Therefore, even if the Court is inclined to admit the petitioner to bail, stringent condition be imposed to ensure his presence in the Court.

6. Regard being had to the nature of allegation against the petitioner, the period of his custody since 07.01.2025, I am inclined to enlarge the petitioner on bail.

7. Hence, the petitioner is directed to be released on bail by the learned Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and proper, subject to the following additional conditions:

(i) He shall not leave the jurisdiction of the trial Court till the disposal of the trial;

(ii) He shall appear before the trial Court on each date on which the case is posted for trial without fail;

(iii) He shall not tamper with the evidence in any manner whatsoever;

(iv) He shall not commit any offence while on bail, and

(v) He shall be released on bail subject to verification of similar type of antecedents.

(vi) Non-appearance in the Court even for once without satisfactorily explaining to the trial Court, shall entail cancellation of bail granted by this Court.

In the event the petitioner is found wanting for violation of any of the bail conditions imposed by this Court or the trial Court even on a single occasion, the prosecution is at liberty to move appropriate application before the Court below for cancellation of the concession of bail granted by this Court. If such application is filed, the trial



Court should decide the application on its own merit.

8. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified

Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 07-May-2026 18:14:50

