



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.175 of 2024

Ajaya Kumar Naik *Appellant(s)*
Mr. Amitav Tripathy, Adv.

-versus-

State of Orissa *Respondent(s)*
Miss Gayatri Patra, ASC
Mr. Bijayananda Dash, Adv.

CORAM:
HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

ORDER

09.02.2026

I.A. No.2842 of 2025

Order
No.

14. 1. This matter is taken up through hybrid arrangement.
2. In filing this I.A., the Appellant being in custody pursuant to the impugned judgment of conviction and order of sentence dated 23.12.2023 passed by the learned Additional Sessions Judge-cum-Special Judge under the POCSO Act, Nayagarh in T.R. No.30 of 2022 arising out of Daspalla P.S. Case No.223 of 2021, has prayed for releasing him on bail.
3. Heard.
4. Learned counsel for the Appellant submits that the Appellant has been convicted and sentenced to undergo R.I. for twenty-five years. He further contends that since the mother of the Appellant has been suffering from



various old age incurable diseases, presence of the Appellant at this moment in his house is very much essential. He further contends that the Appellant is the sole male bread earner in his family. He, accordingly, prays for permitting the Appellant to be enlarged on interim bail.

5. At this juncture, pursuant to the earlier order of this Court learned counsel for the State produces the instruction received on the above issue through the communication dated 20.01.2026 made by the I.I.C, Daspalla Police Station. Relevant portion of the said communication is extracted hereinbelow:-

“Kousalya Naik is suffering chest pain and she has undergone treatment at DHH Khordha vide PR No.-2112102121025161724 dt.12.10.2025 and the treating M.O referred her to Capital Hospital Bhubaneswar she has not gone to capital Hospital BBSR for treatment, In this connection the treatment detail of capital Hospital BBSR not furnished by Kousalya Naik. But on dt 20.01.25, the patient was sent to CHC Daspalla with requestion and the MO Dr. Jagannath Dash furnished the treatment history of Kousalya Naik and opined that Kousalya Naik is conscious, oriented, some serological tests and ECG to rule out any acute cordial infarction and advised to continue the medicines for CAD (Coronary artery disease) and also 2D ECHO and ECG and consult a Cardiologist to know the actual progression and severity of disease.”

6. Considering the submissions made on behalf of the Appellant and looking to the communication dated



20.01.2026 made by the I.I.C Daspalla Police Station, this Court is of the view that the Appellant should be enlarged on interim bail for taking care of his mother who has been suffering from various old age incurable diseases. This Court, accordingly, directs that the Appellant shall be released on interim bail for a period of one month from the date of his actual release from the custody in connection with the above noted case by the learned Court in *seisin* over the matter on such terms and conditions as deemed just and proper with further conditions that he will positively surrender before the learned Court in *seisin* over the matter on the date as would be so directed. The Appellant is also directed not to threaten the victim or her family members in any manner.

6. This I.A. is, accordingly, disposed of.

CRLA No.175 of 2024

7. List this matter on 24th March, 2026 for final hearing.

8. Both the parties are directed to file their respective written notes of submissions along with citations, if any, in their support on or before the next date of listing of this matter.

(Dr. Sanjeeb K Panigrahi)
Judge