



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.159 of 2024

Ajaya Nayak

.... ***Appellant***

Mr. J.Sahoo, Advocate

-versus-

State of Odisha

.... ***Respondent***

Mr. T.K.Dash, Additional P.P.

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
24.07.2025

Order No.

I.A. No.423 of 2024

06. 1. Heard Mr. Sahoo, learned counsel for the Appellant – Petitioner and Mr. Dash, learned Addl. P.P. for State – Respondent. No one entered appearance for the informant/ victim despite service of notice on her.
2. The Appellant namely, Ajaya Nayak who is convicted for commission of offences under Section 6 of the POCSO Act read with Section 376(2)(n)/ 376(3) of the Indian Penal Code and sentenced to undergo R.I. for twenty years along with fine, under Section 366 of the IPC and sentenced to undergo R.I. for five years along with fine, by learned Additional District Judge-cum-Special Court under POCSO Act, Berhampur in his judgment dated 12th February 2024, has prayed to release him on bail pending appeal.
3. It is submitted that the Appellant is inside custody since 12th February 2024 till date upon conviction and prior to that he was detained in custody for the period from 23rd October 2020 to 16th October 2023. It is further submitted that the Appellant is a young boy



and as per the statement of the victim she eloped with the Appellant being in love relationship.

4. Upon hearing both parties and considering the evidences of all such witnesses including victim (P.W.5), doctor (P.W.8) and taking note of the period of detention of the Appellant inside custody, it is directed to release the Appellant-Petitioner on bail pending appeal on such terms and conditions to be fixed by learned Additional District Judge-cum-Special Court under POCSO Act, Berhampur in connection with G.R.Case No. 98 of 2020 corresponding to Berhampur Sadar P.S. Case No.305 of 2020.

5. The I.A. is disposed of. An urgent certified copy of this order shall be issued on proper application.

I.A. No.424 of 2024

6. There shall be stay of realization of fine amount as imposed by learned Additional District Judge-cum-Special Court under POCSO Act, Berhampur in the impugned judgment dated 12th February 2024 till disposal of the appeal. The I.A. is disposed of.

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7. List the appeal on 2nd week of December for hearing.

(B.P. Routray)
Judge