



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.98 of 2018

Mithun Bhoi & Another ... **Appellants**

Mr. Sambit Samal, Advocate

-versus-

State of Odisha	...	Respondent
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Mr. C.K. Pradhan, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

25.07.2025

Order No.

I.A. No.1170 of 2022

11.

- 1.** This matter is taken up through hybrid mode.
- 2.** Learned counsel for the appellant/petitioners does not want to press this I.A.
- 3.** The I.A. stands dismissed as not pressed.

(Biraja Prasanna Satapathy)
Judge

I.A. No.3205 of 2024

12.

- 1.** This matter is taken up through hybrid mode.
- 2.** Learned counsel for the appellant/petitioner does not want to press this I.A.
- 3.** The I.A. is not pressed for the time being.

(Biraja Prasanna Satapathy)
Judge



I.A. No.3024 of 2024

- 13.** **1.** This matter is taken up through Hybrid Arrangement (Physical/Virtual).
- 2.** This I.A. has been filed by the appellant no.2-petitioner Kanha @ Ganesh Bhoi for regular bail.
- 3.** Heard learned counsel for the appellant/petitioner no.2 and learned counsel for the State.
- 4.** It is contended that appellant-petitioner no.2 has been convicted under Section 376(D) of the IPC read with Section 6 of the POCSO Act and sentenced to undergo R.I. for a period of twenty years and to pay a fine of Rs.10,000/- and in default, to undergo further R.I. for a period of one year for the offence under Section 376(D) of the IPC and Section 6 of the POCSO Act by the learned Additional Sessions Judge-cum-Special Judge, Jagatsinghpur in Special G.R. Case No.15 of 2015.
- 4.1.** Learned counsel for the appellant-petitioner no.2 contended that out of the total period of conviction and sentence imposed vide judgment dated 17.01.2018 passed in Special G.R. Case No.15 of 2015 by the learned Additional Sessions Judge-cum-Special Judge, Jagatsinghpur, appellant no.2 has already undergone around ten years of sentence as he is in custody since from the date of arrest on 30.10.2015. It is also contended that vide order dated 16.05.2024,



appellant no.2 was allowed to go on interim bail for a period of three months and he never misutilised that liberty and after completion of the interim bail period, appellant no.2 surrendered and continuing in custody. It is accordingly contended that the appellant no.2 be released on interim bail for a further period of two months on any terms and conditions as deem, fit and proper by the learned court below.

5. Learned Additional Standing Counsel does not dispute the contention raised by learned counsel for the appellant no.2 regarding his surrender after completion of the interim bail period in terms of the order dated 16.05.2024.

6. Considering the submissions made and the fact that the appellant no.2 has not misutilised the liberty granted to him vide this Court's order dated 16.05.2024 and taking into account the period already undergone out of the substantive sentence of twenty years, while this Court is not inclined to release the appellant no.2 on regular bail, however, is inclined to release him on interim bail for a period of two months from the date of his actual release.

6.1 Let the appellant-petitioner no.2 Kanha @ Ganesh Bhoi be released on interim bail for a period of two months from the date of his actual release on such terms and conditions as deem just and proper by the court in session of the matter. After availing the interim bail period of two months, appellant no.2 is directed to surrender before the court below positively.



8. The I.A. is disposed of.

(Biraja Prasanna Satapathy)
Judge

CRLA No.98 of 2018

14. 1. As requested, list this matter in the week commencing 17th of November, 2025 for hearing.

(Biraja Prasanna Satapathy)
Judge

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Signature Not Verified

Digitally Signed
Signed by: AMIT KUMAR MOHANTY
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 28-Jul-2025 11:57:06

