



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3234 of 2026

Jasobanta Ghosi @ Ghusi Petitioner(s)

Mr. Tusar Kumar Mishra, Advocate

-versus-

State of Odisha and Opposite Party(s)
another

Ms. Suvalaxmi Devi, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

Order
No.
01.

ORDER
04.05.2026

1. Heard.
2. The petitioner is an accused in connection with Hemgir P.S. Case No.0104 of 2025 corresponding to G.R. Case No.100 of 2025 registered on the allegation of the commission of the offences under Sections 376(2)(n) and 417 of I.P.C. pending in the Court of the learned Civil Judge Junior Division-cum-JMFC I/C Hemgir Court committed to the Court of the learned Sessions Judge, Sundargarh (at present pending in the Court of the learned Additional Sessions Judge, Sundargarh) in S.T. Case No.216/224 of 2025.



3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court below vide its order dated 18.02.2026 has rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.

4. 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.

5. On 16.03.2025, the informant/victim lodged a complaint before Hemgir Police Station alleging that the petitioner had kept physical relations with her on multiple occasions without her consent, on the false promise of marriage, since the year 2022. She further alleged that on 12.09.2024, the petitioner called her to Debraj Lodge and again had physical relations with her against her will, as a result of which she became pregnant and is presently carrying a pregnancy of about seven months. It is further alleged that the



petitioner has subsequently refused to marry her. Hence, the F.I.R. was registered.

6. Ms. Suvalaxmi Devi, learned Additional Standing Counsel for the State, drawn the attention of this Court to the statement of the victim recorded under Section 164 of Cr.P.C. Perusal of the said statement reveals that the petitioner had kept physical relationship with the victim on the promise of marriage. The victim in her statement has very categorically stated that they had been in a relationship since 2022 and she has established such relationship on the belief that the petitioner would marry her. However, the petitioner subsequently wriggled out of his promises. The victim is aged about 23 years whereas the petitioner is aged about 28 years.

7. Regard being had to the period of custody from 29.03.2025, and the nature of allegation and the age of the petitioner, I am inclined to admit the petitioner on bail.

Hence, the petitioner is directed to be released on bail by the 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) The petitioner shall appear before the trial Court on each date on which the case is posted for trial.
- (ii) He shall not leave the jurisdiction of the trial Court till disposal of the trial.
- (iii) He shall not tamper with the evidence in any manner whatsoever.
- (iv) He shall not keep in contact with the victim or her family members in any manner whatsoever.
- (v) He shall not commit any offence while on bail.

Violation of any of the conditions shall entail consideration for cancellation of the bail granted to the petitioner. In the event, any of the bail conditions are violated by the petitioner, the prosecution is given liberty to move appropriate application before the Court below for recalling the concession of bail. If such application is



moved, the trial Court should decide the application on its own merit.

8. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Swarna