



IN THE HIGH COURT OF ORISSA AT CUTTACK

JCRLA NO.39 of 2022

Shankar Biswal

....

Appellant

Ms. B. Dash, Adv.

-versus-

State of Odisha

....

Respondent

Mr. C.K. Pradhan, AGA

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

12.12.2025

Order
No.

I.A. No.386 of 2025

4. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the parties.
3. Though this application has been filed seeking grant of regular bail, but in course of hearing, learned counsel appearing for the appellant-petitioner contended that the same be treated as an application for interim bail for a period of 3(three) months.
4. It is contended that the appellant-petitioner along with three others have been convicted for the



offence under Section 376(D) of the Indian Penal Code r/w Section 6 of the POCSO Act and all of them have been sentenced to undergo R.I for 20 years and to pay a fine of Rs.25,000/-, in default, to undergo R.I for further period of one year for the offence under Section 6 of the POCSO Act.

4.1. Learned counsel appearing for the Appellant contended that in the meantime appellant has already undergone more than 9 years of the substantive sentence out of the sentence imposed. It is also contended that appellant-Petitioner was released on interim bail vide order dt.01.05.2024 for a period of four months and he has not mis-utilised the same and surrendered on 03.09.2024 after completion of the interim bail period. It is accordingly contended that since the appellant-petitioner has already undergone more than 9 years of the substantive sentence and he has not mis-utilised the interim bail granted by this Court, appellant be released on interim bail for a period of three months on any terms and conditions as deem fit and proper.

5. Learned Additional Govt. Advocate though opposed the prayer for interim bail, but contended that Appellant-petitioner has not violated the earlier order passed by this Court on 01.05.2024.



6. Having heard learned counsel appearing for the parties, considering the submission made and the fact that the appellant-Petitioner has not mis-utilised the liberty so granted by this Court in its order dt.01.05.2024 and has already undergone more than 9 years of the substantive sentence, this Court is inclined to direct for release of the appellant-Petitioner on interim bail for a period of three months to be countered from the date of his release on such terms and conditions as deem fit and proper by the Court in seisin. However, the Appellant-Petitioner is directed to surrender immediately after completion of the interim bail period.

6.2. The I.A stands disposed of.

(Biraja Prasanna Satapathy)
Judge

5. JCRLA NO.39 of 2022

1. Heard.

2. Office is directed to delete the name of Mr. Pravash Ch. Jena, previously engaged counsel from the case record as well as from the cause list.

3. List this matter on 30.01.2026.

(Biraja Prasanna Satapathy)
Judge

sangita



sangita