



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3235 of 2026

Sumanta Raita @ **Petitioner(s)**
Sukanta Gamango

Mr. Soubhagya Kumar Dash, 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 S.T. Case No.87 of 2025 arising out of G.R. Case No.184 of 2024 corresponding to R. Udayagiri P.S. Case No.146 of 2024 registered on the allegation of the commission of the offences under Sections 137(2)/87/64(m)/127(4) of B.N.S., 2023 pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Paralakhemundi.
3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court below vide its order dated 16.03.2026 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 25.09.2024 at about 4:30 P.M., the informant lodged a written report before the IIC, R. Udayagiri Police Station, alleging that on 14.09.2024 at about 9:00 P.M., his minor sister, aged about 15 years, went missing from their residence. Despite extensive search efforts by family members and villagers, her whereabouts could not be traced. On suspicion, the informant alleged that the present petitioner had kidnapped his minor sister and taken her away with the intention of marrying her. On the basis of such allegations, the aforesaid case was registered.

6. After investigation, charge-sheet has been filed in the present case on 22.04.2025. During investigation, the statement of the victim has been recorded under Section 183(6)(a) of the B.N.S.S., 2023. In her statement, she has very categorically stated that on 15.09.2014, she voluntarily went to Andhari village and married the petitioner of her own free will. She further stated that she had fallen in love with the petitioner at first sight and continued their



relationship. However, later she came to know that the petitioner was already married and had children. Therefore, the present case has been filed.

7. Regard being had to the period of custody from 01.11.2025, and the nature of allegation and the age of the petitioner and the victim, 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

Signature Not Verified

Digitally Signed
Signed by: SWARNAPRAVA DASH
Reason: Authentication
Location: High Court of Orissa
Date: 05-May-2026 11:20:08

