



IN THE HIGH COURT OF ORISSA AT CUTTACK

Sanjay Kumar Naik @ Nayak

(In CRLA No.373 of 2024)

Sipun Mahanta @ Kalpataru Mahanta

(In CRLA No.347 of 2024) ...

Appellants

Mr. D. Dash, Advocate

(For the appellant in CRLA No.373 of 2024)

Mr. P.S. Das, Advocate

(For the appellant in CRLA No.347 of 2024)

-versus-

State of Odisha

... Respondent

Mr. S.S. Pradhan, AGA

**CORAM:
JUSTICE G. SATAPATHY**

ORDER(ORAL)

06.08.2024

IA No.937 of 2024(In CRLA No.373 of 2024)

&

IA No. 813 of 2024(In CRLA No.347 of 2024)

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. These are applications under Section 389(1) of CrPC for grant of bail to the convicts Sanjay Kumar Naik @ Nayak and Sipun Mahanta @ Kalpatary Mahanta pending suspension of further execution of sentence till disposal of these two appeals.

3. Heard learned counsel for the respective appellants and learned AGA in the matter and perused the record including the evidence of the victim.



4. It appears from the record that both the appellants are convicted for commission of offence under Sections 342/376(D) of IPC and the maximum substantive sentence as awarded against them is to undergo Rigorous Imprisonment (RI) for twenty years. The victim in her evidence has deposed against the appellants for commission of Gang Rape upon her.

5. After having considered the rival submissions and on going through the materials placed on record including the deposition of the victim and regard being had to the reasoning as ascribed by the learned trial Court in the impugned judgment and the ground on which such judgment is impeached and taking into account the other evidence on record in entirety, this Court does not find it proper to grant bail to the appellants, especially when they were sentenced to undergo RI for twenty years for commission of offence punishable under Section 376(D) of IPC for committing gang rape upon the victim.

Hence, the bail application of each of the appellants stands rejected.

6. Accordingly, IA Nos.937 and 813 of 2024 are, hereby, disposed of.

(G. Satapathy)
Judge

Order No.

06.

CRLA Nos.373 & 347 of 2024

1. Since soft copy of LCR is already available on record, Office is requested to prepare paper books and



supply the same to the learned counsel for the parties as per Rules.

2. List this matter on 06.11.2024.

(G. Satapathy)
Judge

Subhasmita