



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 5023 of 2026**

**Kalpana Mohapatra & another       ....       Petitioners**

Ms. R.R.Mishra, Advocate

**-Versus-**

**State of Odisha       ....       Opposite Party**

Mr. M.K. Mohanty, ASC

**CORAM:  
MR. JUSTICE R.K. PATTANAİK**

**ORDER  
07.05.2026**

**Order No.  
01.**

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with Nuagaon P.S Case No. 78 of 2026 pending in the file of learned ADJ-Cum-Special Judge (POCSO ACT) corresponding to Special G.R. Case No.32 of 2026 on the grounds stated.
3. Perused the FIRs as at Annexures-1 &2. Recorded the submissions of learned counsel for the respective parties with reference to the F.I.R. i.e. Annexure-1. It is submitted to the Court that the petitioners are the landlords, whereas, the informant is their neighbour and in so far as the sexual mischief is alleged, it has been committed by the tenants named therein. It is further submitted that the F.I.R. is a counterblast to the report lodged by the petitioners at Annexure-2. It is submitted to the Court by learned counsel for the petitioner that the other



two accused persons named in the F.I.R. alleged to have threatened the informant to viral her naked photographs but in that, the petitioners are not involved and considering the above facts, they should be allowed to go on bail even though it is brought to the notice of the Court that both of them are having one antecedent with bailable offences alleged. Recorded the objection of the State. The Court finds that the petitioners are related as husband and wife and against them the allegation of threat is made by the informant. The mischief said to have been committed by the other accused persons, namely, Krupasindhu Behera and Ramesh Jena. It is suspected by the informant that the said accused persons were engaged by the petitioners and hence, the mischief was committed. But considering the fact that there was a threat by the other accused persons to viral the photograph secretly taken and not the petitioners, who instead lodged report with a case registered, this Court, considering the dispute between the parties, is inclined to direct them to surrender before the learned court below for being released with conditions though not inclined to entertain their plea for pre-arrest bail.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioners surrender before the court of learned ADJ-Cum-Special Judge (POCSO ACT) Nayagarh within a fortnight from today, it is directed that they shall be released on bail in connection with Special G.R.



Case No.32 of 2026 corresponding to Nuagaon P.S Case No. 78 of 2026 on furnishing a bail bond of Rs.20,000/-(rupees twenty thousand) each with one solvent surety for the like amount each with such other conditions imposed as deemed just and proper and in the facts and circumstances of the case, besides the following, such as, both shall not pick up any quarrel with the informant and involve themselves in any further mischief with the latter, while on bail and to cooperate the I.O in the investigation, till the same is over.

6. Issue urgent certified copy of this order as per rules.

**(R.K. Pattanaik)**  
**Judge**

Kabita

Signature Not Verified

Digitally Signed  
Signed by: KABITARANI MAJHI  
Reason: Authentication  
Location: OHC, Cuttack  
Date: 11-May-2026 17:14:45

