



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.417 of 2019

Santosh Biswal & Ors.

....

Appellants

Mr. P. Mohanty, Adv. for Appellant. Nos.1 & 2

Mr. J.K. Panda, Adv. for O.P.4

-versus-

State of Odisha

....

Respondent

Mr. P.K. Panda, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

06.02.2026

I.A. No.3369 of 2024 & I.A. No.3009 of 2025

Order No.

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

2. Heard learned counsel appearing for the Parties.

3. Even though both the I.As have been filed by appellant Nos.2 and 4 respectively, for grant of bail by keeping the sentence under suspension, but in course of hearing, it is fairly contended that both the interim applications be treated as an application for interim bail for a period of three (3) months in relation to S.T. No.398 of 2013 in the file of learned Addl. Sessions Judge, Chatrapur.



4. It is contended that out of the substantive sentence imposed on the appellants for the offence under Sections-376-D, 506/34 of I.P.C with the maximum sentence imposed under Section 376(D) at 20 years, both the appellants have already undergone near about 12 years of sentence.

4.1. It is also contended that on earlier occasion, this Court on being satisfied was pleased to direct for release of appellant No.2 on interim bail for a period of three (3) months vide order dtd.23.08.2024 and that of appellant No.4 on 02.08.2024.

4.2. It is contended that both the appellants have not misused the liberty so granted and surrendered after completion of the interim bail period.

4.3. It is accordingly contended that since appellant Nos.2 & 4 have already undergone near about 12 years of sentence out of the substantive sentence of 20 years and they have not mis-utilized the liberty granted by this Court on earlier occasion let appellant Nos.2 & 4 be released on interim bail for a period of 3(three) months, on any terms and conditions as deem fit and proper by this Court.

5. Learned Addl. Standing Counsel also fairly contended that both the appellants have not mis-utilized the interim bail granted by this Court earlier occasion



and they surrendered immediately after completion of the interim bail period.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court taking into account the fact that appellant Nos.2 & 4 have already undergone around 12 years of sentence out of the substantive sentence of 20 years and they have not misutilized the liberty so granted by this Court in its order dtd.23.08.2024 and 02.08.2024, this Court is inclined to direct for release of appellant Nos.2 & 4 on interim bail for a period of three (3) months to be counted from the date of their release, on any terms and conditions as deem fit and proper by Court in seisin. However, both the appellants are directed to surrender immediately on completion of the interim bail period without fail.

7. Accordingly, both the I.As stand disposed of.

(Biraja Prasanna Satapathy)
Judge

I.A. Nos.133 & 2565 of 2025

39. 1. List both the I.As on 20th February, 2026.

(Biraja Prasanna Satapathy)
Judge