



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5010 of 2026

Bharat Kumar Kabi @ Bharat Kabi ... ***Petitioner***

*Mr. D.P. Dhal, Sr. Advocate along
with Mr. K. Sethi, Advocate
-versus-*

State of Odisha and another ... ***Opposite Parties***

*Mr. S.C. Pradhan, Addl. PP
Mr. B.K. Nayak, Advocate (Informant)*

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):29.07.2026

Order No.
02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Bhandaripokhari PS Case No.260 of 2025 corresponding to Spl. (POCSO) Case No.21 of 2026 pending in the file of learned ADJ-cum-Spl. Court under POCSO Act, Bhadrak, for commission of offences punishable U/Ss.137(2)/65(1)/115(2)/87/3(5) of BNS r/w Section 4 of POCSO Act, on the main allegation of kidnapping the victim and committing rape and penetrative sexual assault upon her.
3. Heard, Mr. Debi Prasad Dhal, learned Senior Counsel, who enters appearance for the petitioner in Court today along with learned counsel Mr. Kamalakanta Sethi by filing appearance memo, which is taken on record; Mr. S.C. Pradhan, learned Additional Public Prosecutor and Mr. Biren Kumar Nayak, learned



counsel for the informant in the matter and perused the record. Mr. Biren Kumar Nayak, learned counsel for the informant, however, strongly opposes the bail application of the petitioner by contending *inter-alia* that the family members of the petitioner are threatening the victim and her family members to compromise the case. Accordingly, Mr. Nayak prays to reject the bail application of the petitioner.

4. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the petitioner vis-à-vis the accusations sought to be brought against him and regard being had to the pre-trial detention of the petitioner in custody since 04.02.2026 with submission of preliminary charge-sheet in the meantime and taking into account the other circumstances on record in entirety including the statement of the victim and keeping in view the inherent right of the accused-petitioner to be presumed innocent until proven guilty at the trial and the living of the victim and the petitioner jointly in a house for some months, this Court without expressing any view on merits admits the petitioner to bail, but subject to certain conditions.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) only with one solvent surety for the like amount to the satisfaction of the learned Court



in seisin of the case on such terms and conditions as deem fit and proper by it with following conditions:-

(i) the petitioner shall not threaten, induce, influence or coerce any of the witnesses including the family members of the victim acquainted with the facts of the case so as to dissuade them from disclosing such facts before the Court &

(ii) the petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on a Sunday of each month in between 10 A.M. to 12 Noon for three(03) months from the actual date of release from the custody.

6. The IIC of jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated.

7. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Subhasmita