



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.692 of 2025

Ashutosh Mahanta

...

Appellant

Mr. S.K. Pattnaik, Advocate

-versus-

State of Odisha

...

Respondent

Mr. M.R. Patra, Addl.PP

Mrs. R.L. Panda, Advocate (Informant)

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
24.02.2026**

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This appeal under Section 101 of the Juvenile Justice (Care & Protection of Children) Act, 2015 (in short, "the Act") by the appellant-petitioner is directed against the impugned order dated 21.05.2025 passed by the learned Addl. Sessions Judge-Children's Court, Keonjhar in Special Case No.3/19 of 2025 arising out of Bolani P.S. Case No. 17 of 2025 refusing to grant bail to Child-in-Conflict with law (CICL) who is represented by his father guardian in this criminal appeal for commission of offence punishable U/Ss. 332(b)/64(1) of BNS and Sec. 4(1) of POCSO Act, on the main allegation of committing rape and penetrative sexual assault upon the victim.
3. Heard, Mr. Susil Kumar Pattnaik, learned counsel for the appellant, Mr. M.R. Patra, learned Addl. PP and Mrs. Rebatilata Panda, learned counsel for the informant in the matter and perused the record. At the outset, Mrs.



Panda informs this Court that the informant has got no objection for release of the CICL on bail.

4. Admittedly, bail to the CICL can only be refused, if there exists reasonable grounds for believing that the release of the CICL would bring him into association with any known criminal or expose him to moral and psychological danger or his release would defeat the ends of justice, but no adverse report has been submitted against the CICL by the Probation Officer in the Social Investigation Report (SIR). It is, however, found from the SBR of the CICL that the reason for commission of offence is due to parental neglect and peer group influence, but the appellant is a CICL and he is reading in +2 1st year in the College. The appellant has been detained in observation home since 22.02.2025 and in the meantime, more than a year has elapsed, but the trial is at its beginning.

5. In the aforesaid facts and situation and taking into consideration the other circumstances on record in entirety, more particularly considering the future of the CICL, this Court without expressing any opinion on merit, considers it proper to admit the appellant to bail in the interest of justice, but subject to certain conditions.

6. Hence, the Criminal Appeal stands allowed and the impugned order is hereby set aside. Consequently, the appellant be released on bail on such terms and conditions as deems fit and proper by the learned Court in seisin of the case with following conditions:-



(i) the father-guardian shall ensure that the appellant shall not contact the victim or visit her house,

(ii) the father-guardian shall keep the appellant away from the village of the victim and shall ensure the continuation of the education of the appellant.

7. Accordingly, the CRLA 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

S.Sasmal