



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.760 of 2025

**Prasanta Ku. Gouda @ Appellant/
Prasanta Kumar Gouda @ Petitioner
Prasanta Gouda**

Represented by Adv.-

Mr. Jyotirmaya Sahoo, Advocate

-versus-

**State of Odisha Respondent/
Opp. Party**

Represented by Adv.-

Mr. P.S. Nayak,
Additional Govt. Advocate

Mr. L.N. Sahu, Advocate
(Informant)

CORAM:

**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK
AND
HON'BLE MR. JUSTICE SIBO SANKAR MISHRA**

ORDER

Order No.

13.02.2026

(Hybrid mode)

I.A. No.127 of 2026

09. **1.** This is an application for interim bail on the ground of ailment of the wife of the appellant. Medical documents supporting the averments taken in the interim application have been annexed to the interim application.
- 2.** Heard learned counsel for the appellant and learned counsel for the State-Respondent so also the learned counsel appearing for the informant.



3. The appellant-petitioner has been convicted under sections 302/34 read with Section 120(B) of the Indian Penal Code and was sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs.20,000/- (rupees twenty thousand) in default, to undergo R.I. for six months for the offence under sections 302/34 of the Indian Penal Code. In addition to that, the appellant-petitioner was also sentenced to undergo imprisonment for life and to pay a fine of Rs.10,000/- (rupees ten thousand), in default to undergo R.I. for four months for the offence under Section 120(B) of I.P.C. and both the substantive sentences shall run concurrently, as directed by the learned 3rd Additional Sessions Judge, Berhampur in S.T. Case No.144 of 2022 arising out of Digapahandi P.S. Case No. 145 dated 24.04.2022.

4. Vide order dated 24.11.2025, the petitioner has admitted to interim bail for a period of one month to attend his wife, who was suffering from various ailments. After availing the interim bail period, the appellant has surrendered before the court below at right time and there is no adverse report against him. The appellant has repeated the same prayer once again seeking interim bail for treatment of his wife.

5. Vide order dated 30.01.2026, we have sought for a report from the concerned Police Station. Pursuant to the said order, the Dy. Superintendent of Police, I/C, Digapahandi Police Station has placed on record a report



dated 12.02.2026, which reads as under:-

"With reference to the subject cited above I have the honour to submit that the appellant Prasanta Kumar Gouda @ Prasanta Gouda S/o Late Raghunath Gouda of village Palajhadi, PS-Digapahandi, Dist-Ganjam was allowed interim bail by the Hon'ble court for a period of one month from the date of his actual release for the treatment of his wife. The treating doctor advised the wife of appellant for taking one month rest for conducting surgery. Hence the appellant surrendered in time i.e. on 26.12.2025 after the expiry of interim bail period. During the interim bail the conduct of the appellant was good. There is no allegation against him during the interim bail period. However the families of the appellant are residing at Bank Colony, 6th lane, Lochapada, Berhampur and the appellant throughout the interim bail period was residing there with family. Further the appellant produced medical documents and filed an interim application vide IA No. 127 of 2026 seeking for interim bail. During verification of the medical documents produced by the appellant found genuine."

6. Since the doctor has advised that the wife of the appellant needs immediate operation to be undertaken, we are inclined to enlarge the convict-appellant for interim bail for a period of one month from the date of his actual release, so as to facilitate his wife to undertake the operation as advised by the doctor.

7. For the above period, let the appellant-petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.20,000/-(rupees twenty thousand) with one local solvent surety for the like amount to the satisfaction of the learned trial Court, subject to condition that while on interim bail the appellant-petitioner shall not indulge in any criminal activities in any manner and any



other condition to be imposed by the learned trial court as deem fit and proper in the facts and circumstances of the case. The convict-appellant shall surrender before the learned court below immediately on expiry of the interim bail period of one month.

8. Violation of any of the terms and conditions shall entail cancellation of the interim bail.

9. Accordingly, the I.A. is disposed of.

10. Issue urgent certified copy of this order as per rules in course of the day.

(Manash Ranjan Pathak)
Judge

(Sibo Sankar Mishra)
Judge

CRLA No.760 of 2025

10. **1.** List this matter after one month.
- 2.** Learned counsel for the appellant shall file the Surrender Certificate of the appellant on the next date.

(Manash Ranjan Pathak)
Judge

(Sibo Sankar Mishra)
Judge