



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.912 of 2025

Gobinda Kandi

.....

Appellant

Represented By Adv. -
Rabi Narayan Mohanty

-versus-

State Of Odisha

.....

Respondent

Mr. S.C. Pradhan, ASC

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

12.08.2025

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard.
3. Admit.
4. Call for the digitized copy of the LCR.
5. List this matter immediate after receipt of the LCR.

I.A. No.2089 of 2025

6. This I.A. has been filed for stay realization of fine.
7. Heard.



8. As an interim measure, it is directed that realization of the fine as directed by the learned Adhoc Additional Sessions Judge, First Track Special Court (POCSO), Bhubaneswar, in T.R. Case No.387 of 2021 shall remain stayed till disposal of the application.

I.A. No.2090 of 2025

9. This I.A. has been filed for suspension of sentence/grant of bail to the Appellant.

10. Heard. Perused the records.

11. Learned counsel for the Appellant at the outset contended that although the Appellant was initially charged with the offences punishable under Sections 376(3), 294, 506 of IPC read with Section 4 of POCSO Act, however, the learned trial Court vide its judgment dated 15.07.2025 in T.R. Case No.387 of 2021 passed by the learned Adhoc Additional Sessions Judge, First Track Special Court (POCSO), Bhubaneswar has found the Appellant guilty of the charges under Section 354-A(1)(i) of IPC and accordingly he has been sentenced to undergo R.I. for three years and to pay a fine of Rs.5,000/-. Learned counsel for the Appellant further contended that during trial the Appellant was in custody for more than two years. Therefore, the Appellant has already undergone a substantive period of sentence imposed on the Appellant, i.e., three years of R.I. He further contended that unless the Appellant is released on bail, the appeal may become infructuous.

12. Taking into consideration the charges for which the Appellant has been convicted, further keeping in view the period of sentence



already undergone, it is directed that the Appellant be released on bail subject to such terms and conditions deemed just and proper by the learned trial Court.

13. Accordingly, the I.A. stands disposed of.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified

Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 13-Aug-2025 18:06:09

