



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 9102 of 2025

Rakesh Nayak @ Rakesh* *Petitioner
Kumar Nayak @ Raka

Mr. S. K. Zafarulla, Advocate

-versus-

State of Odisha* *Opposite Party

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2025

Order No.

- 01.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is seeking pre-arrest bail in connection with Special G.R. Case No.70 of 2023 pending on the file of learned Adhoc ADJ, FTSC-II, Cuttack arising out of Niali P.S. Case No.153 of 2023 for commission of offences punishable under Sections 341/323/294/354/363/366/427/506/34 of IPC read with Section 12 of POCSO Act.
3. It is submitted by the learned counsel for the Petitioner that taking into account the tender age of the Petitioner, the allegation as leveled are ex-facie exaggerated. Hence, the Petitioner may be protected by pre-arrest bail.



4. Learned counsel for the State opposes the prayer for pre-arrest bail and submits that the victim is aged about 17 years.

5. This Court perused the 183 BNSS statement of the victim.

6. Taking note of the same, this Court is not inclined to entertain the application for pre-arrest bail. However, in the event the Petitioner surrenders before the learned Court in seisin in the aforesaid case and moves an application for his release on bail, the same shall be considered on its own merit and the learned Court in seisin is requested to make an endeavor to dispose of the same on the same day needless to state after following the due procedure of law.

7. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Santoshi

Signature Not Verified

Digitally Signed
Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 14-Aug-2025 16:21:59

