



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.913 of 2025

Akshaya Behera

...

Appellant

Mr. T.P. Mohapatra, Advocate

-versus-

State of Odisha & another

...

Respondents

Mr. M.R. Patra, Addl. PP

Mr. S.K. Baral, Advocate (informant)

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
24.02.2026

Order No.

04.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This criminal appeal Under Section 14-A(2) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 together with amendment Act, 2016 (in short, "the Act") in nature of bail is directed against the impugned order dated 15.07.2025 passed by the learned Ad-hoc Addl. District & Sessions Judge-FTSC, Puri in T.R. Case No.23/36 of 2023 (Spl. G.R. Case No. 41 of 2023) arising out of Chandanpur P.S. Case No. 104 of 2023 refusing to grant bail to the appellant for commission of offence punishable U/Ss. 376/506 of IPC and r/w. 4 of POCSO Act and Sec. 3(2)(va) of the Act, on the main allegation of committing rape and penetrative sexual assault upon the victim by taking advantage of her caste.
3. Heard, Mr. Tara Prasad Mohapatra, learned counsel for the appellant appearing virtually, Mr. M.R.



Patra, learned Addl. Public Prosecutor and Mr. Sushanta Kumar Baral, learned counsel for the informant/victim in the matter and perused the record.

4. It is not disputed that 22 witnesses have already been examined, but the learned trial Court in its report expects to conclude the trial within one month. In the aforesaid situation and circumstance and taking into consideration the materials placed on record together with the evidence of the victim and keeping in view the presumption as available U/S. 29 of the POCSO Act and taking into account the other circumstances on record in entirety, this Court does not consider it proper to grant bail to the appellant.

5. Hence, the prayer for bail of the appellant stands rejected. Accordingly, the CRLA stands dismissed. A soft copy of the order be immediately communicated to the Court in seisin over the matter for reference.

(G. Satapathy)
Judge

S.Sasmal