



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.738 of 2026
CNR No. ODHC010577092026

Aswini Gouda

... ***Appellant***

Mr. J. Sahoo, Advocate

-versus-

State of Odisha and another

... ***Respondents***

Mr. T.K. Acharya, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):09.09.2026

Order No.

02.

1. This criminal appeal in the nature of bail U/S.14-A of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 together with amendment Act, 2016 (in short, "the Act") is directed against the impugned order dated 25.06.2026 passed in GR Case No.12 of 2025 by which the learned Addl. District and Sessions Judge, Kodala has refused to grant bail to the appellant in connection with Kabisuryanagar PS Case No.304 of 2018 for commission of offence punishable U/Ss. 302/120-B/34 of IPC read with section 3(2)(v) of the Act.

2. Heard, Mr. Jyotirmaya Sahoo, learned counsel for the appellant and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter and perused the record. None appears for the informant-victim despite being duly intimated as apprised by learned Addl. PP.

3. Admittedly, this is a bail jump case, but the appellant was granted bail by a Coordinate Bench of this Court in CRLA No. 1207 of 2022, however, the NBWA was issued against the appellant on 23.02.2026 when the he did not appear in the concerned Court, but the reason that has been taken by the Appellant for not being able to attend the



Court on the date fixed to be on account of ignorance of transfer of the case from the Court of learned Addl. Sessions Judge, Chatrapur to the Court of learned Addl. Sessions Judge, Kodala, however, the appellant is in custody since 10.05.2026 on the strength of NBWA and thereby, the appellant must have felt the rigor of law by remaining in custody for flouting the orders of the Court. In the aforesaid circumstances, this Court by taking a lenient view admits the appellant to bail.

4. Hence, the CRLA stands allowed and the impugned order is, hereby set aside. Consequently, the appellant is allowed to go on bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) only with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions **except cash surety** as deem fit and proper with following condition:-

*(i) the appellant in the course of trial shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with. **In case the appellant fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for offence U/S.269 of BNS, 2023 in accordance with law.***

5. Issue urgent certified copy of the order as per Rules. 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 reference.

Signature Not Verified

Digitally Signed
Signed by: PRIYAJIT SAHOO
Designation: Sr. Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 09-Sep-2026 19:41:38



(G. Satapathy)
Judge