



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12239 of 2025

Narendra Sahoo @ Sahu* *Petitioner

*Mr. Prabir Kumar Ray,
Advocate*

-versus-

State of Odisha* *Opp. Party

*Mr. Jateswar Nayak,
Addl. Govt. Advocate*

*Mr. Akashdeep Mohanty,
Advocate for the informant*

**CORAM:
JUSTICE S.K. SAHOO**

Order No.

**ORDER
17.12.2025**

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

This is an application under section 483 of BNSS in connection with Mangalpur P.S. Case No.18 of 2025 corresponding to C.T. Special (POCSO) case no.07 of 2025 pending in the Court of learned A.D.J. -cum- Special Judge (POCSO), Jajpur for offences punishable under sections 65(1) and 62 of BNS and section 8 and 18 of the POCSO Act.

The petitioner moved an application for bail before the Court of learned Addl. Sessions Judge -cum- Special



Court under POCSO Act, Jajpur, which was rejected on 22.10.2025.

The bail application of the petitioner was earlier rejected by this Court in BLAPL No.4091 of 2025 dated 09.10.2025.

Learned counsel for the petitioner submits that in the learned trial Court, the victim has already been examined so also other material witnesses and at this stage, there is no chance of tampering with the evidence. Referring to the evidence of the victim, who has been examined as P.W.6, it is stated that she could not identify the person, who committed the alleged act of sexual assault on her due to darkness and she heard from the outsider that it was the petitioner who committed the act. Learned counsel further submits that in view of such statement of the victim and further taking into account the period of detention of the petitioner in judicial custody for more than one year, the bail application of the petitioner may be favourably considered.

Learned counsel for the informant submits that in view of the settlement between the parties, he has no objection to the grant the bail of the petitioner.

Learned counsel for the State, however opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties and the age of the victim, who is aged about thirteen years and since she has supported the prosecution case in the examination



in chief and implicated the petitioner to have committed rape on her and in the cross-examination, the victim stuck to her version, but in the further cross-examination on recall, she tried to support the petitioner, which prima facie shows a case of tampering with her evidence, while not inclining to release the petitioner on bail, but taking into period of detention in judicial custody, it is directed that the learned trial Court shall do well to expedite the trial.

The BLAPL is accordingly disposed of.

A copy of the order be communicated to the learned trial Court for compliance.

(S.K. Sahoo)
Judge

Rajesh