



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12846 of 2025

Kushabhadra Maharana *Petitioner(s)*
Mr. Lalitendu Bhuyan, Adv.

-versus-

State of Orissa & Anr. *Opposite Party(s)*
Miss Gayatri Patra, ASC

CORAM:

HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI

Order
No.

ORDER
18.12.2025

F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
0099	27.09.2025	Daitari Police Station	G.R. Case No.1077 of 2025 arising out of Daitari P.S. Case No.99 of 2025 pending in the Court of learned J.M.F.C (C.T), Keonjhar	Sections 332, 64(2)(m), 69, 81, 296, 351(2) of the Bharatiya Nyaya Sanhita

01. 1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Petitioner and learned
 counsel for the State.
3. The Petitioner being in custody in connection with G.R.
 Case No.1077 of 2025 arising out of Daitari P.S. Case No.99
 of 2025 pending in the Court of learned J.M.F.C (C.T),
 Keonjhar registered for the alleged commission of offences
 under Sections 332, 64(2)(m), 69, 81, 296, 351(2) of the



Bharatiya Nyaya Sanhita, has filed this application for his release on bail.

4. The brief fact of the case is that on 14th January, 2025 taking advantage of absence of the brother of the informant in house, the Petitioner had entered into the house of the informant and forcefully kept physical relationship with her. After keeping physical relationship, the Petitioner had threatened the informant for not disclosing the said fact to anybody, or else, he will kill her. Accordingly, an F.I.R was lodged in the local Police Station. Upon lodging of the F.I.R and completion of investigation the Petitioner was taken into custody and he has been languishing in custody since 28.01.2025.

5. Learned counsel for the Petitioner contends that there was love relationship between the Petitioner and the informant. Due to some misunderstanding the informant had lodged an F.I.R. against the Petitioner. He further contends that presently, both are agreed to stay together. He, accordingly, prays for permitting the Petitioner to be released on bail.

6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner. She further submits that such type of offences is not tolerable in a law abiding society. She, accordingly, prays for dismissal of this BLAPL.



7. Considering the submissions made on behalf of both the parties, this Court without going into the merits of the case, directs the court in seisin over the matter to release the present Petitioner on bail in the aforesaid case on some stringent terms and conditions with further conditions that:

- i.** the Petitioner shall appear before the concerned local Police Station in every fortnight on Monday between 10.00A.M. to 1.00P.M. till conclusion of the trial;
- ii.** the Petitioner shall appear before the learned Court below on each date of posting of the case;
- iii.** the Petitioner shall not indulge himself in any criminal activities in future;
- iv.** the Petitioner shall not tamper the evidence of the prosecution witnesses in any manner;
- v.** the Petitioner shall not threaten the informant or her family members in any manner;
- vi.** the Petitioner shall plant 50 saplings of local variety like mango, neem, tamarind etc. in and around his village over the Government land/ community land/ private land, if it is in the possession of the Petitioner or his family members.

Violation of any of the above conditions shall entail cancellation of the bail.



8. The District Nursery/D.F.O shall extend the helping hand by supplying the saplings to the Petitioner and the Revenue Authority shall assist the Petitioner in identifying the location for plantation of the saplings. If the land is not available, the Petitioner to approach the Revenue Authority for identifying the land for plantation and the Revenue Authority shall do the needful.

9. The I.I.C. of the concerned Police Station in coordination with the local Forest Officer shall monitor; whether the Petitioner has planted the saplings or not.

10. It is further made clear that the Petitioner shall file an affidavit after plantation of the saplings before the local Police Station assuring that he will maintain those plants for two years. The said affidavit be also produced before the learned court below at the time of trial.

11. This BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge