



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.13067 of 2025

Smith Dutta Acharya

....

Petitioner(s)

Mr. Pravat Ranjan Barik, Advocate

-versus-

State of Odisha

....

Opposite Party(s)

Mr. Ashok Kumar Apat, AGA

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

18.12.2025

Order No.

01.

1. Heard.

2. The petitioner is an accused in connection with Puri Sadar P.S. Case No.193 of 2015 corresponding to G.R. Case No.247 of 2025 registered on the allegation of the commission of the offence under Sections 85/64(2)(m)/351(2)/3(5) of the B.N.S., 2023 read with Section 4 of the D.P. Act and 66E of the I.T. Act, pending in the Court of the learned Adhoc Additional Sessions Judge, (FTSC), Puri.

3. The petitioner had approached the learned court below praying for grant of bail. The learned Court below vide its order dated 24.10.2025 has rejected the bail application of the petitioner.



Being aggrieved, the petitioner has filed the present petition under Section 483 B.N.S.S, 2023 praying for enlargement on bail.

4. Learned counsel for the petitioner, on instruction from the petitioner, submits that, except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.

5. Earlier, the petitioner had approached this Court seeking grant of bail by filing BLAPL No.6164 of 2025. However, on 08.07.2025, the petitioner withdrew the bail application reserving his right to approach the learned trial Court for grant of bail after the examination of the victim.

6. Learned counsel for the petitioner submits that despite repeated summons, the victim is not appearing before the learned trial Court for the purpose of examination. He has taken me to the proceedings dated 19.11.2025 and subsequent proceedings, which indicates that despite the summons issued to the victim/informant, she is not appearing before the Court for examination. Therefore, the petitioner has repeated the bail plea before this Court.

7. In view of the earlier order of this Court dated 08.07.2025, I am not inclined to enlarge the petitioner on bail. However, the learned trial Court is directed to do well to see that the



victim/informant is examined as early as possible preferably within a period of three months. In the event, the victim is not examined within three months, the petitioner is at liberty to renew his bail plea after expiry of three months. If the victim is examined prior to three months, after examination of the victim, the petitioner may renew his bail plea before the Court below.

8. With this observation, the BLAPL is disposed of.

(S.S. Mishra)
Judge

Swarna