



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.742 of 2024

Bhagaban Harijan @ Bagh **Petitioner**
Mr. R.L. Pattnaik, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. P.K. Sahoo, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
01.07.2025

Order No.

01. 1. Heard Mr. Pattnaik, learned counsel for the petitioner and Mr. Sahoo, learned ASC for the State.
2. Instant revision is filed by the petitioner challenging the impugned judgment in Criminal Appeal Case No.39 of 2014 of learned Additional Sessions Judge, Nabarangpur for having confirmed the order of conviction modifying the sentence directed in Criminal Trial No.124 of 2013 on the grounds stated therein.
3. Mr. Pattnaik, learned counsel for the petitioner submits that the petitioner stands convicted for the offences under Section(s) 363 & 376 I.P.C and sentenced to undergo RI for five years and to pay fine of Rs.2000/- with default sentence under Section 376 I.P.C and RI for one year and fine of Rs.1000/- in default to undergo RI for further three months for the offence under Section 363 I.P.C. and he is in custody since 30th October, 2024 after having surrendered before the learned Assistant Sessions Judge (STC), Nabarangpur.



4. Considering the grounds advanced and submission of Mr. Pattnaik, learned counsel for the petitioner, the Court is inclined to issue notice to the opposite party.
5. Hence, it is ordered.
6. Notice.
7. Mr. Sahoo, learned ASC for the State accepts notice for the opposite party.
8. An extra copy of the revision petition with the annexures is requested to be served on the State by tomorrow.
9. List on 29th July, 2025 for final hearing and orders.

(R.K. Pattanaik)
Judge

I.A. Nos.1163 and 1164 of 2024

- 02.
1. Heard learned counsel for the respective parties.
 2. Instant I.As. are filed by the petitioner for release of the petitioner on bail and stay of realization of fine for the reasons stated therein.
 3. It is submitted that the petitioner is in custody ever since surrendered before the learned Court below on 30th October, 2024 and hence, he should be allowed to go on bail. A serious objection is received from the side of the State for the fact that the petitioner is a married person and he has committed the alleged mischief involving in a minor. In response to the above, Mr. Pattnaik, learned counsel for the



petitioner would submit that the petitioner is a young boy aged about 20 years only. However, considering the fact that the petitioner stands convicted and sentenced to undergo RI for five years, the Court is inclined to issue notice to the informant for a reply and response before considering his release as has now been pleaded for.

4. List on the date fixed for orders.
5. Extra copy of the I.A. be served on the State in course of the day.

(R.K. Pattanaik)
Judge

Balaram