



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.93 of 2026

CNR No. ODHCO10657422026

Sarala Mandal @ Biswas

.....

Petitioner

-versus-

State of Odisha

.....

Opposite Party

For Petitioner	:	Mr. Umesh Chandra Dora, Advocate
For Opposite Party	:	Mr. Chiranjaya Mohanty, Additional Standing Counsel

CORAM:

HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

DATE OF HERING & JUDGMENT : 24.09.2026 (ORAL)

Aditya Kumar Mohapatra, J.

1. This is an application under Section 430 of BNSS, 2023 by the Petitioner seeking grant of bail and suspension of sentence against her conviction in G.R. Case No.493 of 2024 of the learned J.M.F.C., Motu at M.V.79 dated 26.09.2025 for commission of offence under Section 318(4) of B.N.S.
2. By the impugned judgment, the Petitioner was convicted for commission of offence under Section 318(4) of B.N.S. and



she was accordingly sentenced to undergo Rigorous Imprisonment for a period of three years with payment of fine of Rs.50,000/-, in default whereof, to suffer Simple Imprisonment for further three months. Against her conviction and sentence, the Petitioner has preferred an appeal before the learned Sessions Judge, Malkangiri in which an application was filed by the Petitioner to grant her bail by suspending the execution of her sentence, but the said application came to be rejected by the learned Sessions Judge and in the process, the Petitioner is before this Court for the relief indicated supra.

3. Heard, Mr. Umesh Chandra Dora, learned counsel for the Petitioner and Mr. Chiranjaya Mohanty, learned Additional Standing Counsel in the matter and perused the record.

4. It is not disputed that the Petitioner had already undergone imprisonment for 07 months & 16 days as on the date of judgment on 26.09.2025 and thereafter, she is continuing in custody since then and, therefore, the Petitioner has already suffered incarceration for a period of 1 year 7 months. In the aforesaid circumstance and considering the



detention of the Petitioner in custody and the suffering of sentence being an irreversible process, which cannot be returned back in the event of success in the appeal, this Court considers it proper to admit the Petitioner to bail by suspending the execution of her sentence.

5. Hence, the CRLMA stands allowed and the Petitioner be released on bail by suspending her sentence pending disposal of the appeal on such terms and conditions as deems fit and proper by the convicting Court.

A copy of this judgment also be communicated to the learned Sessions Judge for information.

(Aditya Kumar Mohapatra)
Judge

Orissa High Court, Cuttack,
Dated the 24th September, 2026/Debasis Aech, Secretary

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 28-Sep-2026 13:54:26

