IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1754 of 2025

Suresh Chandra Pradhan and others ... ***Petitioner***

Mr. B. Pujari, Advocate

-versus-

State of Odisha ... ***Opposite Party***

Mr. P. Satpathy, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
01.12.2025

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is an application U/S.483 of BNSS by the petitioners for grant of bail in connection with GR Case No. 356(H) of 2008 arising out of G. Udayagiri PS Case No. 102 of 2008 pending in the file of learned JMFC, G. Udayagiri for commission of offences punishable U/Ss.147/148/302/307/323/324/325/326/427/436/120-B/149 of IPC r/w Sections 25/27 of the Arms Act and Sec. 9(B) of the IE Act, on the main allegation of rioting, along with co-accused persons being armed with deadly weapons by forming an unlawful assembly and in the process, attacking the members of other community by entering into conspiracy with co-accused persons in prosecution of their common object resulting in death of two persons Ramani Nayak and Lalaji Nayak in the incident.

3. Heard, Mr. Basudev Purjai, learned counsel for the petitioners and Mr. P. Satpathy, learned Addl. Public Prosecutor in the matter and perused the record.

4. No doubt, the bail application of the Petitioners was opposed to by the learned State Counsel for long abscondance of the Petitioner, but Mr. Pujari by inviting the attention of the Court to the deposition of the son and daughter of the deceased Ramani Nayak, has brought to the notice of the Court, that they have not supported the prosecution allegation against the petitioners in their evidence and that apart, it was also brought to the notice of the Court that the informant has already expired. It is also stated at the Bar that co-accused having faced trial, have been acquitted earlier, but no one has been convicted which is confirmed by the learned JMFC, G. Udayagiri in his letter No. 2411 dated 07.11.2025 by stating that no person has been convicted in this case arising out of G. Udayagiri PS Case No. 102 of 2008.

5. In such view of the matter and after having considered the rival submissions and on going through the materials placed on record together with the evidence as produced and keeping in view the inherent right of an accused to be presumed innocent until proven guilty at the trial, this Court without expressing any view on merits, admits the Petitioners to bail.

6. Hence, the bail application of the Petitioners stands allowed and they are allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty

Five Thousand) only with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it with following condition:-

> *(i) the petitioners in the course of trial shall attend the trial Court on each date of posting without fail unless their attendance is dispensed with and shall cooperate with the trial.* ***In case the Petitioners fail without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioners for offence U/S.269 of BNSS in accordance with law.***

7. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Priyajit

Signature Not Verified
Digitally Signed
Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 02-Dec-2025 11:51:22