IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12296 of 2025

1. Sk. Azad
2. Sk. Kurban .... ***Petitioners***

Mr. Julu Khansama, Advocate

-versus-

State of Odisha .... ***Opp. Party***

Mr. Aurovinda Mohanty,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
17.12.2025

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 483 of B.N.S.S. in connection with G.R. Case No.2156 of 2025 arising out of Rourkela Township (Sector-XIX) P.S. Case No.143 of 2025 pending in the Court of learned S.D.J.M., Panposh for offences punishable under sections 126(2)/115(2)/103(1)/3(5) of B.N.S.

The petitioners moved an application for bail before the Court of learned 2nd Additional Sessions Judge, Rourkela, which was rejected on 15.11.2025.

Learned counsel for the petitioners submits that

the petitioners are in judicial custody since 13.08.2025 and they have been charge sheeted under sections 126(2)/115(2)/103(1)/3(5) of B.N.S. Learned counsel further submits that the occurrence in question took place on 12.08.2025 and the eye witness account of one Mangal Ghadei indicates that there was disturbance between the petitioners on the one hand and the deceased on the other hand and at that point of time, the co-accused Sk. Mustafa @ Raja came to the spot with a split wood and assaulted on the head of the deceased as a result of which the deceased was shifted to the hospital and expired on the same day. Learned counsel further submits that it is a case and counter case and the petitioners have also sustained injuries. It is argued that in view of the materials available on record and since the main role has been attributed against the son of petitioner no.2, the bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the post mortem report, which indicates that the cause of death of the deceased Sk. Laltu was due to ante mortem fatal head injuries including the other bodily injuries. Learned counsel placed the statement of the eye witness Mangal Ghadei.

Considering the submissions made by the learned counsel for the respective parties, since the main role has been attributed against the co-accused

Sk. Mustafa @ Raja, taking into account the nature of accusation against the petitioners and their period of detention in judicial custody, I am inclined to release the petitioners on bail.

Let the petitioners be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) each with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter with further terms and condition as the learned Court may deem just and proper subject to conditions that the petitioners shall appear before the learned trial Court on each date to which the case would be posted for trial and they shall not indulge in any criminal activities in any manner.

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

Accordingly, the BLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

Signature Not Verified
Digitally Signed
Signed by: RABINDRA KUMAR MISHRA
Designation: Personal Assistant
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 18-Dec-2025 16:06:26