IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1586 of 2026

Hemanta Raita & Another … ***Petitioners***

Mr. J. Sahoo, Advocate

-versus-

State of Odisha … ***Opposite Party***

Mr. C. Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL) : 08.04.2026

Order No.

01. 1. This is an application U/S.483 of BNSS by the petitioners for grant of bail in connection with K. Nuagaon P.S. Case No. 270 of 2025 corresponding to S.T. Case No.433 of 2025 pending in the file of learned Sessions Judge-cum-Special Judge, Ganjam, Berhampur, being charge sheeted for commission of offences punishable U/Ss. 191(2)/191(3)/103(1)/190 of BNS, on the main allegation of attempting to the life of the deceased by giving fist and kick blows and battering his head by means of a stone resulting in his death subsequently after 53 days of such occurrence.

2. Heard, Mr. Jyotirmaya Sahoo, learned counsel for the petitioners and Mr. C. Mohanty, learned Addl. PP in the matter and perused the record.

3. Although the present petitioners have been named in the FIR, but the main allegation of battering to the head of the deceased by means of a stone is directed against co-accused Gupteswar Kunda who is not before this Court in this bail application, however, the allegation against rest of the co-accused persons for

giving fist and kick blows and also assaulting the deceased by means of a cudgel. Further, charge has not yet been framed due to non-availability of the expert opinion as stated in the impugned order, but the petitioners are in custody since 05.09.2025. In that view of the matter and taking into consideration the circumstance of death of the deceased after undergoing pro-long treatment for more than 50 days and keeping in view the other circumstances on record in entirety including the inherent right of the accused to be presumed innocent until proven guilty at the trial and grant of bail to co-accused Jius @ Jihusoya Raita in BLAPL No. 11186 of 2025 by this Court, this Court without expressing any view on merits, admits each of the petitioners to bail.

4. Hence, the bail application of the petitioners stands allowed and each of the petitioners are allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with one solvent surety 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.

5. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Signature Not Verified
Digitally Signed
Signed by: SUBHASMITA SASMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 09-Apr-2026 10:59:00