IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3269 of 2026
CNR No. ODHC010236202026

Kunal @ Nigamananda Behera .... ***Petitioner***

Mr. S. Dwibedi, Advocate

-versus-

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

Mr. C.R. Swain, AGA

BLAPL No.6661 of 2026
CNR No. ODHC010474302026

Ashok Kumar Panda .... ***Petitioner***

Mr. R.N. Prusty, Advocate

-versus-

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

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

29.10.2026

Order No.

04. 1. Since both the BLAPLs relate to the same P.S. (Jharsuguda P.S. Case No.587 of 2025), on the consent of the parties, they are taken up together and are disposed of by this common order.

2. Heard learned counsel for the Petitioners and learned counsel for the State.

3. The Petitioners are accused in connection with C.T. Case No.2540 of 2025, pending on the file of learned Court in seisin, arising out of **Jharsuguda P.S. Case No.587 of 2025** for alleged commission of offences under Sections 333/ 310(2)/ 317(3)/ 347(1)/ 249(b)/ 318(4)/ 336(2)/ 340(2)/ 61(2)(a) of BNS read with Section 21(1)(a)/ 26/ 27(1) of Arms Act.

4. Learned counsel, on instruction, submits that except the present BLAPLs, no other bail applications of the Petitioners relating to the aforementioned P.S. case is pending in any other Court.

5. Being aggrieved by the rejection of their application for bail U/s.483 of BNSS by the learned Court in seisin by order dated 11.03.2026 and 17.06.2026 in the aforementioned case, the present BLAPLs have been filed.

6. It is submitted by the learned counsel for the Petitioners that the co-accused persons have been released on bail by this Court by order dated 18.02.2026 in BLAPL No.129 of 2026 and other connected bail applications and by order dated 27.04.2026 in BLAPL No.2409 of 2026 and since the Petitioners are similarly placed and seizure has already been effected, which has weighed with this

Court in granting bail to the co-accused, on the ground of parity, they seeks release. In this context reliance is placed on the judgment of the Apex Court in the case of **Satender Kumar Antil vrs. Central Bureau of Investigation and another** reported in (**2022) 10 SCC 51** more particularly paragraph 98 thereof on the ground of parity.

7. Learned counsel for the State opposes such prayer and submits that the Petitioners are prima facie not similarly circumstanced since they were identified in the TI parade. Hence, the ground of parity cannot be pressed into service. And, it is his further submission that the Petitioner in BLAPL No.6661 of 2026 has one criminal antecedent.

8. Per contra, it is submitted by the learned counsel for the Petitioner in BLAPL No.6661 of 2026 that the antecedents relates to the year 2016 and the said Petitioner was cited as an accused in Ainthapali P.S. Case No.335 of 2016 U/s.364-A of IPC.

9. Considering the rival submission, taking into account the release of the co-accused and recovery, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned Court in seisin.

10. Additionally, it is directed that Petitioners shall appear before the jurisdictional police station on every Sunday at 11:00 A.M. till conclusion of trial. Certification of such appearance shall be submitted to the Court in seisin.

11. Registry is requested to send a copy of this order via electronic mode to the Superintendent of the concerned Jail, in addition to the communication through Order Communication Portal (OCP) of this Court.

12. Accordingly, both the BLAPLs stand disposed of.

13. In view of the disposal of the BLAPLs, I.A. No.319 of 2026 filed in BLAPL No.3269 of 2026 stands disposed of.

14. UCC as per rules.

(V. Narasingh)
Judge

Santoshi

Signature Not Verified
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Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 30-Oct-2026 17:09:55