IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3851 of 2026

CNR No. ODHC010288082026

Rubita Mahapatra …. ***Petitioner***

Mr. A.K. Sahoo, Advocate

-versus-

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

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.10.2026

Order No.

02. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is accused in connection with C.T. Case No.188 of 2022 (S.T. Case No.35 of 2022), pending on the file of learned Sessions Judge, Deogarh, arising out of **Reamal P.S. Case No.101 of 2022** for alleged commission of offences under Sections 302 of IPC.

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

4. Being aggrieved by the rejection of their application for bail U/s.483 of BNSS by the learned Sessions Judge, Deogarh by order dated 25.03.2026 in

the aforementioned case, the present BLAPL has been filed.

5. This is the third journey of the Petitioner to this Court.

6. It is submitted by the learned counsel for the Petitioner that by order dated 02.05.2023, while not entertaining the prayer for pre-arrest bail, this Court had given liberty to the Petitioner to renew his prayer after examination of C.S.W.20, one of the witnesses leading to discovery under Section 27 of the Evidence Act.

7. It is stated by the learned counsel for the Petitioner that there are two witnesses to the statement under Section 27 of Evidence Act i.e. P.Ws.13 and 23.

It is further stated that since they have not supported the prosecution, further continuance of the Petitioner, who is in custody since 16.03.2022, is unwarranted.

8. It is also stated that the Informant, in spite of notice, is not appearing.

9. Learned counsel for the State opposes the prayer for bail and submits that the submission that the witnesses have turned hostile cannot be accepted, since they have supported the prosecution in material particulars.

10. It is also stated that there is CDR analysis to show that the Petitioner was in constant touch with the deceased.

11. Considering the rival submission and taking into account the evidence on record, noted herein above, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

12. Additionally, it is directed that Petitioner 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.

13. 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.

14. Accordingly, the BLAPL stands disposed of.

15. UCC as per rules.

(V. Narasingh)
Judge

Signature Not Verified
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Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 29-Oct-2026 19:57:58