IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4846 of 2026
CNR No. ODHC010358332026

Bunu @ Prakash Samal …. ***Petitioner***

Mr. D. K. Mohanty, Advocate

-versus-

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

Mr. S. K. Lenka, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2026

Order No.

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

2. The Petitioner is an accused in connection with S.T. Case No.49 of 2023 pending on the file of learned Addl. Sessions Judge, Cuttack, arising out of **Cuttack Sadar P.S. Case No.145 of 2022** for commission of offence alleged under Sections 302 and 34 of IPC.

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

4. Being aggrieved by the rejection of his application for bail U/s.483 of the Bharatiya Nagarik

Suraksha Sanhita (BNSS) by the learned ADJ-cum-Spl. Court under POCSO Act, Balasore by order dated 25.02.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel that the present Petitioner along with his father were cited as accused in the case at hand and the father of the present Petitioner, namely Chakara @ Chakradhar Samal was directed to be released on bail vide order dated 20.09.2026 in BLAPL No.5449 of 2025 wherein the present Petitioner was Petitioner No.2 and this Court allowed his bail application to be withdrawn.

6. It is submitted by the learned counsel that the only distinguishing feature so far as the complicity of the present Petitioner qua the co-accused, who is the father of the present Petitioner, who has since been enlarged on bail, is alleged recovery in terms of Section 27 of the Evidence Act.

7. It is stated that since the witnesses to such recovery, who have been examined as P.Ws.15 and 18, have not supported the prosecution the Petitioner in essence is at all fours with the co-accused. Hence, on the ground of parity, the Petitioner seeks release on bail.

8. Learned counsel for the State opposes the prayer for bail and submits that the other evidence on record unequivocally points to the involvement of the Petitioner.

9. Considering the rival submissions and taking into account the nature of evidence qua the accusation vis-à-vis the Petitioner, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin so as to ensure his presence during the trial.

10. 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.

11. Accordingly, the BLAPL stands disposed of.

U.C.C. as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
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Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 11-Nov-2026 18:10:09