IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.7429 of 2026
CNR No. ODHC010521792026

Babula @ Sarat Rout **.....** ***Petitioner***

Represented by Adv. - Sk. Zafarulla

-versus-

State Of Odisha **.....** ***Opposite Party***

Represented by Adv. – C.Mohanty, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
05.11.2026

Order No.

03. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S has been filed by the Petitioner for regular bail in connection with S.T. Case No.36 of 2026, arising out of Balanga P.S. Case No.269 of 2025, pending in the Court of learned A.S.J., Nimapara for alleged commission of offence punishable under Sections 126(2)/ 118(1)/ 118(2)/109/296/303(2)/333/74/324(4)/3(5) of BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 04.12.2025. He further contended that in the meantime investigation has been concluded and the final charge sheet has been filed. Learned counsel for the Petitioner

further submitted that although the trial has commenced, however, there is no possibility of the trial being concluded in the near future. Further referring to the allegation made in the FIR, learned counsel for the Petitioner submitted that there exists a civil dispute between the Petitioner and the informant. He further contended that in connection with the aforesaid civil dispute, a scuffle took place between the two groups. As a result, the injured has sustained fracture injury on his leg. Such injury has been reflected in the injury report as grievous in nature. He further contended that in the meantime the injured has been treated and discharged from the hospital and, at the moment, the injured is hale and hearty and moving around in the locality. It was also brought to the notice of this Court that the Petitioner is having some criminal antecedents, however, the Petitioner is ready and willing to abide by any stringent terms and conditions that would be imposed by this Court in the event he is released on bail.

5. Learned Additional Standing Counsel, on the other hand, opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further contended that the Petitioner is having some criminal antecedents, therefore, the possibility of the Petitioner indulging in criminal activities after his release on bail cannot be ruled out altogether. He further submitted that since the trial has commenced, release of the Petitioner would cause delay in conclusion of the trial. On such ground, learned counsel for the State prayed for rejection of the bail application of the Petitioner.

6. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as

materials on record, further taking into consideration the period of custodial detention and the fact that the trial has commenced and the injured has not sustained any frailty injury, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.40,000/- (Rupees Forty thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter.

8. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any other conditions shall entail cancellation of the bail application.

9. It is further directed that the bail granted to the Petitioner shall be subject to the verification of the condition of the injured. In the event, it is found that the condition of the injured is critical, then this order shall stand automatically revoked.

10. The BLAPL is, accordingly, disposed of.

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(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 06-Nov-2026 19:50:36