IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.7505 of 2026
CNR No. ODHC010528592026

Saroj Jena **.....** ***Petitioner***

Represented by Adv. - Sidhartha Das

-versus-

State of Orissa **.....** ***Opposite Parties***

Mr. C. Mohanty, ASC

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 for the Petitioner as well as learned counsel for the State. Perused the application as well as documents annexed thereto.

3. The present bail application under Section 483 of BNSS, has been filed by the Petitioner for regular bail relating to Maniabandha P.S. Case No.67 of 2026, corresponding to C.T. Case No.221 of 2026, pending before the learned J.M.F.C., Baramba, for alleged commission of offence punishable under Sections 329(4), 296, 308(2), 351(2), 326(g) of BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 12.06.2026. He further contended that in the meantime the investigation has been concluded and the final charge-sheet has been filed. He further contended that although

the Petitioner is having some criminal antecedents, however, he has been released on bail in most of the cases and he is ready and willing to abide by any stringent terms and conditions that will be imposed by this Court in the event of his release on bail. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of his absconding.

5. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that although offence under Section 326(g) of BNS has been added, however, such offence is not made out in the given facts of the case. On the contrary, the learned counsel for the Petitioner submitted that at best an offence under Section 326(f) of BNS can be said to have been made out against the Petitioner for which the maximum punishment prescribed is seven years and the same is triable by the Magistrate. So far the other offences are concerned, learned counsel for the Petitioner submitted that the maximum punishment that can be inflicted is up-to seven years. On such ground, learned counsel for the Petitioner contended that taking into consideration the fact that the Petitioner is languishing in custody for almost five months and in the meantime the charge-sheet has been filed, the Petitioner be enlarged on bail on any stringent terms and conditions.

6. Learned counsel for the State, on the other hand, opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further submitted that the Petitioner is a habitual offender and that he has several criminal antecedents. On such ground, learned counsel for the State submitted that in the event the Petitioner is released on bail, there is every likelihood that he might indulge in similar criminal offences. In such view of the

matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

7. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case, further keeping in view the period of detention of the Petitioner in jail custody, and the fact that the charge-sheet has been filed, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter.

8. The release of the Petitioner shall also be subject to following conditions:-

i) the Petitioner shall not indulge in any criminal offences while on bail;

ii) shall appear before the learned trial Court as and when his presence is required for the purpose of trial;

iii) shall appear before the local police station once in a week for a period of two months preferably on a Sunday in between 10:00 A.M. to 1:00 P.M., thereafter once in a fortnight for further period of three months, thereafter once in a month till conclusion of the trial;

iv) shall not leave the jurisdiction of the learned trial Court without taking any specific permission of the learned trial Court.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. It is further directed that the bail granted to the Petitioner is subject to depositing of a cash security of Rs.10,000/- (Rupees Ten Thousand) before the learned Court in seisin over the matter, which shall be kept in any Nationalized Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

10. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 05-Nov-2026 17:49:33