IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8143 of 2026

CNR No. ODHC010597182026

Dugana Kadraka …. ***Petitioner***

Mr. J.K. Khuntia, Advocate

-versus-

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

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

27.10.2026

Order No.

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

2. The Petitioner is accused in connection with G.R. Case No.9 of 2023 (C.T. Case No.59 of 2023), pending on the file of learned Addl. Sessions Judge-cum-Special Judge, Koraput, arising out of **Bandhugaon P.S. Case No.3 of 2023** for alleged commission of offences under Sections 302/201/34 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 Addl. Sessions Judge-cum-Special Judge, Koraput by

order dated 21.07.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel that the Petitioner is in custody since 14.01.2023 and his earlier journey to this Court was not fruitful in as much as by order dated 13.09.2023 in BLAPL No.9744 of 2023 was rejected.

For convenience of reference paragraph-7 of the said order passed by this Court, which is relevant for adjudication, is extracted hereunder;

> "7. Learned counsel for the State oppose the prayer for bail and relies on the statement of 164 Cr.P.C. statement of Sita Habika-wife of the deceased, Pidika Rama Rao and china kadraka and coupled with it there is statement recorded of the present petitioner under Section 27 of Evidence Act leading to the discovery of the alleged weapon of offence."

6. Learned counsel for the Petitioner submits that in the meanwhile the wife of the deceased has been examined as P.W.3 and the witnesses to seizure of the weapon of offence in terms of the statement of the accused under Section 27 of Evidence Act examined as P.Ws.4 and 1 (Pidika Rama Rao and China Kadraka) respectively and their depositions have been placed on record and referring to the same, it is submitted that since they have not supported the prosecution, taking

into account the nature of allegation and the manner of implication, Petitioner may be released on bail.

7. Learned counsel for the State opposes the prayer for bail.

8. Considering the rival submission and taking into account the depositions on record, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

9. 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.

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.

12. 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: 28-Oct-2026 19:15:56