IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9129 of 2026
CNR No. ODHC010662502026

Bablu Bar Bhaya@babulu Barvia & Anr. ..... ***Petitioners***

Represented by Adv.
- Rohit Kumar Suna

-versus-

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

Represented by Adv. –
P.Satpathy, A.S.C.

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

ORDER
28.10.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioners 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 Petitioners for regular bail in connection with C.T. Case No.388 of 2026, arising out of Laikera P.S. Case No.76 of 2026, pending in the Court of learned S.D.J.M., Jharsuguda for alleged commission of offence punishable under Sections 310(2), 115(2), 332(b), 111 (4), 61 (2)(a) of the BNS read with Section 25(1)(a), 27(1) of the Arms Act.

4. It is submitted by the learned counsel for the Petitioners that the Petitioners are in custody since 07.03.2026. He further

contended that in the meantime investigation has been concluded and the final charge sheet has been filed. He further contended that the Petitioner No.1 does not have any criminal antecedent and although the Petitioner No.2 is having four criminal antecedents, however, he does not have any similar criminal antecedent. Learned counsel for the Petitioners, further referring to the allegation made in the FIR, submitted before this Court that initially the FIR was lodged against unknown accused persons. He further contended that although the Petitioner No.2 has been identified in the TI parade, however, he does not have any similar criminal antecedent and that the stolen articles have already been recovered in the meantime. He further submitted that there is no possibility of the trial being commenced in the near future. On such ground, learned counsel for the Petitioners submitted that the Petitioners be released on bail on any stringent terms and conditions as would be deemed just and proper by this Court.

5. Learned Additional Standing Counsel, on the other hand, opposed the bail application of the Petitioners on the ground of gravity and seriousness of the allegation. He further contended that in the event the Petitioners are released on bail, there is every likelihood that they might indulge in similar criminal offences or abscond from justice. On such ground, learned counsel for the State objected to the release of the Petitioners on bail.

6. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record as well as nature and gravity of the allegation, further keeping in view the fact that the stolen articles have been recovered and coupled with the fact that the Petitioners have been

languishing in custody for more than 6 months, this Court is inclined to release the Petitioners on bail subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioners be released on bail in the aforesaid case each of the Petitioners on furnishing a bail bond of Rs.50,000/- (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. While imposing conditions, learned court in seisin over the matter shall also impose a condition that the Petitioner shall appear before the jurisdictional Police Station once in a fortnight, preferably, on 'Sunday' in between 10.00 A.M. to 1 P.M., for a period three months, thereafter, once in a month for a period of three months. Violation of any of the conditions shall entail cancellation of the bail application.

9. It is further directed that the bail granted to the Petitioner No.1 shall be subject to the verification of his criminal antecedent. In the event, the Petitioner is having any similar criminal antecedent, then this order shall stand automatically revoked.

10. It is further directed that the bail granted to the Petitioner No.2 shall be subject to depositing a cash security of Rs.5,000/- (Rupees Five 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.

11. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 29-Oct-2026 14:43:11