IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9108 of 2026
CNR No. ODHC010679332026

Dibana Behera **.....** ***Petitioner***

Represented by Adv. -
Tara Prasad Mohapatra

-versus-

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

Mr. U.R. Jena, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
10.11.2026

Order No.

02. 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 Baselisahi P.S. Case No.288 of 2025, corresponding to G.R. Case No.1134 of 2025, pending before the learned J.M.F.C.(Cog-II), Puri, for alleged commission of offence punishable under Sections 309(6), 109(1), 296, 351(2), 3(5) of BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 03.04.2026. He further submitted that in the meantime the investigation has been concluded and the final charge-sheet has been filed on 30.05.2026. He further submitted that although the Petitioner is having several criminal

antecedents, however, he is ready and willing to abide by any stringent conditions imposed by this Court. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that the injuries sustained by the injured are all simple in nature, therefore, the offence under Section 109 of the BNS is not made out against the present Petitioner. He further contended that some of the co-accused persons have already been released on bail, however, the bail of the Petitioner has been rejected on the basis of the fact that the Petitioner is having some criminal antecedent. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner is ready and willing to abide by any terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. 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 contended that the Petitioner is a habitual offender and in the event the Petitioner is released on bail, he might abscond from justice. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

6. 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 taking into consideration the gravity and seriousness of the allegation, further keeping in view the period of detention of the Petitioner in jail custody, and the fact that the charge-sheet has been submitted in the meantime, 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.

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

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

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

iii) 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.

8. 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: 11-Nov-2026 11:07:17