IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9262 of 2026
CNR No. ODHC010694322026

Pratap Samantaray @ Pratap Kumar Samantaray .... ***Petitioner***

Mr. A. Mishra, Advocate

-versus-

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

Mr. S. Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.10.2026

Order No.

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

2. The Petitioner is an accused in connection with G.R. Case No.48 of 2022, pending on the file of learned J.M.F.C., Khandapada, arising out of **Khandapada P.S. Case No.50 of 2022** for alleged commission of offences under Sections 302/114/307/120B/34 of IPC read with Section 3/4 of Explosive Substances Act, 1908.

3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.

4. Being aggrieved by the rejection of his application for bail U/s.483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) by the learned Addl. Sessions Judge, Nayagarh by order dated 31.08.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the Petitioner that the co-accused persons have since been enlarged on bail by this Court in a series of orders, who are similarly circumstanced with the Petitioner in as much as the allegation against him is of instigation and the overt act is attributed to one Kamena @ Naresh Majhi as noted by this Court by order dated 29.09.2022 in BLAPL No.8051 of 2022. Hence, it is stated that Petitioner may be released on bail.

6. Learned counsel for the State while does not opposes such stand of the Petitioner submits that since the Petitioner was very much present at the spot and taking into account the nature of allegations, he is not entitled to be released on bail.

7. And, it is also stated by the learned counsel for the State that the Petitioner was an absconder.

8. Considering the rival submission, taking into account the release of the co-accused facing similar accusation, keeping in view the law laid down in the Apex Court in the case of **Satender Kumar Antil**

vrs. Central Bureau of Investigation & another, (2022) 10 SCC 51 relating to parity, 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 the Petitioner shall appear before the jurisdictional police station once a month on a Sunday till the conclusion of trial. Certification of such appearance shall be submitted to the learned Court in seisin and shall cooperate with the ongoing investigation.

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. U.C.C. as per rules.

(V. Narasingh)
Judge

Ayesha

Signature Not Verified
Digitally Signed
Signed by: AYESHA ROUT
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 29-Oct-2026 18:05:51