IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9437 of 2026
CNR No. ODHC010703292026

Rathi Behera **.....** ***Petitioner***

Represented by Adv. - Preetam Mishra

-versus-

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

Represented by Adv. – U.C. Jena, A.S.C.

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

ORDER
27.10.2026

Order No.

01. 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 Bail Application as well as the documents annexed thereto.

3. This is an application under Section 483 of the BNSS filed by the Petitioner for bail in connection with S.T. Case No.02 of 2026, corresponding to Baunsuni P.S. Case No.149 of 2025, pending in the Court of the learned Sessions Judge, Boudh for alleged of offence under Sections 103(1)/238 BNS.

4. Learned counsel for the Petitioner, at the outset, contended that the Petitioner is languishing in jail custody since 25.08.2025. He further submitted that in the meantime most of the prosecution witnesses have been examined. He further submitted that the trial is being unnecessarily prolonged due to non-examination of the I.O.

He further submitted that although the matter has been adjourned on several occasions, the I.O is not cooperating with the learned trial court. As a result, the trial is being unnecessarily delayed.

5. Learned counsel for the State, on the other hand, contended that he will have no objection if this Court targets the trial in the aforesaid factual backdrop.

6. Taking into consideration the submissions made by learned counsels appearing for both sides, this Court directs the learned trial court to expedite the trial and conclude the same, as expeditiously as possible, preferably within a period of three months. The learned trial court is directed to examine the I.O by ensuing his presence if require, coercive measures shall also be taken to ensure his presence before the learned trial court. In the event trial is not concluded within the aforesaid stipulated period of time, it is open for the Petitioner to move an application for bail and in the event such a bail application is filed the same shall be considered on its own merit without being influenced by any other factor.

7. Accordingly, the BLAPL is disposed of.

Issue urgent certified copy of this order as per rules.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 28-Oct-2026 18:49:28