IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9469 of 2026
CNR No. ODHC010707742026

Ganesh @ Jagan Kumar Nayak **.....** ***Petitioner***

Represented by Adv. - Bikram Rath

-versus-

State Of Odisha **.....** ***Opposite Parties***

Smt. S. Nayak, ASC

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 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 Tigiria P.S. Case No.37 of 2025, corresponding to S.T. Case No.86 of 2025, which arises out of C.T. Case No.199 of 2022, pending before the learned Addl. Sessions Judge, Athagarh, for alleged commission of offence punishable under Sections 296, 126(2), 115(2), 118, 74, 75, 351(3) & 3(5) of BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 14.07.2026 after he was arrested pursuant to an NBW issued by the learned trial Court. He further

contended that initially the Petitioner was released on bail. He further submitted that due to a communication gap with his conducting counsel the Petitioner could not appear before the learned trial Court, as a result of which, an NBW was issued against the present Petitioner. In execution of such NBW of arrest the Petitioner has been again taken into custody on 14.07.2026. 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 to release of the Petitioner on bail. She further submitted that although the Petitioner was released on bail by this Court, however, he was failed to appear before the learned trial Court. As a result of which, he has again been taken into custody for his default to appear before the learned trial Court. In such view of the matter, learned counsel for the State objected to the release of the Petitioner on bail. It was also contended that in the event the Petitioner is released on bail, there is every likelihood that he might abscond again which would unnecessarily cause delay in conclusion of the trial.

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 note of the fact that earlier the Petitioner was released on bail, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing a fresh bail bond of Rs.40,000/- (Rupees Forty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. 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. Violation of any of the terms and conditions shall entail cancellation of bail.

7. 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: 28-Oct-2026 17:52:52