IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 3454 of 2026
CNR No. ODHC010709942026

Bhubaneswar Meher @ Shyam …. ***Petitioner(s)***

Mr. L. Mishra, Advocate on behalf of Ms. Saswata Pattnaik, Advocate

-versus-

State of Odisha & Anr. …. ***Opp. Party(s)***

Mr. U.R. Jena, AGA

CORAM:

THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER
31.10.2026

Order No.

01. 1. The petitioner is aggrieved by the order dated 14.08.2026, whereby his application for grant of bail has been rejected by the learned Special Judge, Sonepur in G.R. Case No. 22 of 2024.

2. It appears that earlier the petitioner had approached this Court by filing BLAPL No. 688 of 2025, which was withdrawn vide order dated 01.09.2025 by reserving liberty by the petitioner to renew his bail plea

after the examination of the victim.

3. In the present case, it appears that charges have not yet been framed. At this stage, the petitioner has reiterated his bail plea before the learned trial court. Therefore, vide order dated 14.08.2026, the learned trial court rejected the same, inter alia, recording as under:-

> *"Advocate for the accused Bhubaneswar Meher files a petition for release of said accused on bail on the grounds stated therein. In the body of bail petition the learned defence counsel has mentioned that the accused Bhubaneswar Meher had earlier preferred BLAPL No. 688/2025 before the Hon'ble Court but the same has been withdrawn on 01.09.2025 with a liberty to renew the bail after examination of the victim. Perused the case record. Hence in view of such order of the Hon'ble Court, let the case record be posted to 20.08.2026 for framing of charge against the accused Bhubaneswar Meher. Issue escort requisition accordingly. The bail petition filed today for the accused Bhubaneswar Meher be taken up after evidence of the victim."*

4. I find no infirmity in the impugned order dated 14.08.2026. Hence, no interference is called.

5. At this stage Mr. Mishra, Ld Counsel for the petitioner submits that the prolongation of the commencement of

trial infringes the right of the petitioner to renew the bail plea on the face of the observation of this Court that the petitioner can only pray on his bail plea after examination of the victim. It appears, examination of the victim before the trial court is likely to be a distant event, till then the petitioner will languish in jail, therefore, Mr. Mishra seeks indulgence of this Court. Essentially Mr. Mishra seeks modification of the conditions in the order dated 01.09.2025 passed by this Court in BLAPL No. 688/2025, however, the remedy lies elsewhere.

5. Accordingly, the CRLMC is disposed of. However, liberty is granted to the petitioner to move appropriate application before the learned trial court for expeditious recording of the evidence of the victim or resort to the right remedy under law, if so advised.

Ashok

(S.S. Mishra)
Judge

Signature Not Verified
Digitally Signed
Signed by: ASHOK KUMAR JAGADEB MOHAPATRA
Reason: Authentication
Location: High Court of Orissa
Date: 01-Nov-2026 12:25:10