IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9874 of 2026
CNR No. ODHC010712592026

Prabhat@pravat Kumar Naik **.....** ***Petitioner***

Represented by Adv. -
Kuresh Prasad Dash

-versus-

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

Represented by Adv. -
Ms. B.K.Sahu, A.G.A

CORAM:
HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **05.11.2026**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel appearing for the Petitioner and learned Additional Government Advocate appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S has been filed by the Petitioner for regular bail in connection with G.R. Case No.332 of 2011, arising out of Bhanjanagar P.S. Case No.150 of 2011, pending in the Court of learned Additional Sessions Judge, Bhanjanagar, Ganjam for alleged commission of offence punishable under Sections 395/ 397/ 412 of I.P.C. r/w Sec.3 & 5 of E.S. Act.

4. Learned counsel for the Petitioner submitted that the Petitioner was initially arrested in connection with the present case on 14.07.2011. He further submitted that the Petitioner was thereafter

enlarged on bail by this Court vide order dated 27.02.2012. It is further contended that, following his release on bail, the Petitioner had been regularly appearing before the learned trial Court.

5. Learned counsel for the Petitioner further submitted that, owing to a communication gap with the conducting counsel, the Petitioner could not appear before the learned trial Court on 20.06.2017, as a result of which a Non-Bailable Warrant (NBW) came to be issued against him. He further contended that the issuance of such NBW was not within the knowledge of the Petitioner. Subsequently, in execution of the said NBW, the Petitioner was re-arrested by the police in connection with the present case and has been languishing in custody since 15.05.2026.

6. In the aforesaid factual backdrop, learned counsel for the Petitioner contended that, since the Petitioner had earlier been enlarged on bail on merits by this Court, he may once again be released on bail, subject to such terms and conditions as this Court may deem fit and proper. Learned counsel for the Petitioner also assured this Court that the Petitioner shall extend full cooperation to the learned trial Court for early conclusion of the trial.

7. Learned Additional Government Advocate on the other hand opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. She further contended that the Petitioner had already defaulted in complying with the conditions of bail, as a consequence of which he was taken into custody pursuant to the Non-Bailable Warrant issued by the learned trial Court. She further submitted that, in the event the Petitioner is released on bail, there is every likelihood of his absconding once again, which may further delay the conclusion of the trial. On the aforesaid grounds,

learned counsel for the State prayed for rejection of the bail application.

8. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

9. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing a 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. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any other conditions shall entail cancellation of the bail application.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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Reason: Authentication
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