IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9524 of 2026
CNR No. ODHC010712632026

Gouranga Nayak **.....** ***Petitioner***

Represented by Adv. -
Saroj Kumar Padhi

-versus-

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

Represented by Adv. -
Sri Uma Shankar Patel,
B.K. Barik, A. Panda

Mr. U.C. Jena, ASC

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

ORDER
28.10.2026

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 439 of Cr.P.C, has been filed by the Petitioner for regular bail relating to Bhasma P.S. Case No.63 of 2023, corresponding to G.R. Case No.95 of 2023, pending before the learned J.M.F.C(Rural), Sundargarh, for alleged commission of offence punishable under Sections 419, 420 of IPC

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 12.08.2026. He further submitted

that in the meantime the investigation has been concluded and the final charge-sheet has been filed. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that the Petitioner had taken a sum of Rs.4,00,000/- (Rupees Four Lakhs) in Cheque and some cash to provide an employment to the Informant. Learned counsel for the Petitioner further contended that the Petitioner had also given two cheques of Rs.4,00,000/- (Rupees Four Lakhs) to return the money to the Informant. Learned counsel for the Petitioner, at this juncture, contended that the Petitioner is ready and willing to return the money to the Informant. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. He further submitted that the Petitioner does not have any criminal antecedent. 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 the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further contended that in the meantime the charge-sheet has already been filed, therefore, the allegation against the Petitioner stands established. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

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 keeping in view

the period of detention of the Petitioner in jail custody, and the fact that the charge-sheet has already been filed, further keeping in view the submission made by the learned counsel for the Petitioner that the Petitioner is ready and willing to return the money to the Informant, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing 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.

7. The release of the Petitioner shall also be subject to following conditions:-

i) the Petitioner shall appear before the learned trial Court as and when his presence is required for the purpose of trial;

ii) shall not indulge in any similar criminal offences while on bail;

iii) shall file an affidavit before the learned trial Court to return the money to the Informant. In the event the Petitioner offers to return 20% of the amount to the Informant, with an undertaking that he shall return the balance amount in installments, then the same shall be incorporated as a condition by the learned trial Court in releasing the Petitioner on bail. Let the Petitioner file an affidavit to the aforesaid extent as has been undertaken by

the learned counsel for the Petitioner before this Court.

Violation of any of the terms and conditions shall entail cancellation of bail.

8. 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: 29-Oct-2026 18:14:22