IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9610 of 2026
CNR No. ODHC010722412026

Babu Naik ..... ***Petitioner***

Represented by Adv. -
Susanta Kumar Baral

-versus-

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

Mr. T.K. Acharya, ASC

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

ORDER
29.10.2026

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.239 of 2025, corresponding to S.T. Case No.79 of 2026, pending before the learned Addl. District and Sessions Judge, Athagarh, for alleged commission of offence punishable under Sections 303(2), 317(2), 126(2), 115(2), 118(1), 132, 109(1), 3(5) of BNS read with Section 7(1) of Orissa Slaughter Act, 1960 and Section 11(1)(d) of Prevention of Cruelty to Animals Act, 1960.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 03.08.2026. 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. He further submitted that the principal accused has already been released on bail in BLAPL No.12215 of 2025 vide order dated 30.01.2026. 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 the bail application of the Petitioner on the ground that the allegation made against the Petitioner is serious in nature. He further submitted that the release of the Petitioner at this juncture would cause delay in conclusion of the trial. Accordingly, it was prayed 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 Petitioner belongs to the locality and that he does not have any criminal antecedent, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.25,000/- (Rupees Twenty-Five 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. It is further directed that the bail granted to the Petitioner be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having any criminal antecedent, then this bail order shall automatically stand revoked.

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: 31-Oct-2026 16:37:49