IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10365 of 2026
CNR No. ODHC010728402026

Sankar Mallick **.....** ***Petitioner***

Represented by Adv. -
Ashok Kumar Sarangi

-versus-

State Of Odisha **.....** ***Opposite Party***

Represented by Adv. –
M.K. Mohanty, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
19.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel 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 S.T Case No.28 of 2015, arising out of Tangi P.S Case No.154 of 2014, pending in the Court of learned ADJ-cum-F.T.S.C.-II for alleged commission of offence punishable under Sections 452/376 (D)/307 & 34 I.P.C.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner was initially arrested in connection with the present case and remained in custody for several months. He further submitted that pursuant to order passed in BLAPL No.25807 of 2014, on 06.04.2015, the Petitioner was enlarged on bail. Learned

counsel for the Petitioner, at this juncture, contended that after his release on bail on the earlier occasion, the Petitioner was appearing before the learned trial Court either personally or being represented by his counsel and he was taking steps therein. However, due to a communication gap with his conducting counsel, the Petitioner could not appear before the learned trial Court on 08.01.2024, i.e., almost 9 years after his release on bail. He further submitted that the learned trial Court issued an NBW on 08.01.2024. In execution of such NBW, the Petitioner has been arrested again on 07.09.2026 and since that date he has been languishing in jail custody. Although the Petitioner moved an application before the learned trial Court for his release on bail, the same has been rejected on 16.09.2026. Accordingly, the Petitioner has approached this Court by filing the present bail application.

5. Learned counsel for the Petitioner, in course of his argument, submitted before this Court that the Petitioner was appearing before the learned trial Court for several years before his recent arrest pursuant to the NBW issued by the learned trial Court. He further submitted before this Court that the Petitioner is ready and willing to abide by any stringent terms and conditions that will be imposed by this Court and the Petitioner assures that he shall appear before the learned trial Court on each and every date fixed in the event he is released on bail.

6. Learned Additional Standing Counsel, on the other hand, opposed the bail application of the Petitioner on the ground that the Petitioner has already made a default in appearance and there is no guarantee that the Petitioner will appear before the learned trial Court during the trial if he is released on bail. On such ground,

learned counsel for the State objected to the release of the Petitioner on bail.

7. Having heard the learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, further keeping in view the fact that the Petitioner was earlier released on bail on merit and that he has been taken into custody due to his default in appearance before the learned trial Court, this Court is inclined to give the Petitioner another opportunity by releasing him on bail subject to imposition of stringent conditions.

8. 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.

9. 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 of the conditions shall entail cancellation of the bail application.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Nov-2026 18:09:28