IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10564 of 2026
CNR No. ODHC010740762026

Sk. Saheb **.....** ***Petitioner***

Represented by Adv. -
Dibya Prakash Mishra

-versus-

STATE OF ODISHA **.....** ***Opposite Party***

Represented by Adv.
– M.R. Patra, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
29.10.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical 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 C.T.(Sessions) Case No.96 of 2024, arising out of Rengali P.S. Case No.217 of 2023, pending in the Court of learned Additional Sessions Judge, Jharsuguda for alleged commission of offence punishable under Sections 452/395/397 of IPC read with Sections 25/27 of Arms Act.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is taken on remand on 29.01.2024 and the Petitioner is not identified in the T.I. parade. He further submitted that in the meantime

the investigation has been concluded and final charge-sheet has been filed. Learned counsel for the Petitioner further submitted though the trial has commenced, however out of 23 prosecution witnesses, only 17 witnesses have been examined so far despite the Petitioner languishing for three years in custody. He further expressed his doubt with regard to early conclusion of the trial.

5. In course of his argument, learned counsel for the Petitioner further submitted that earlier the Petitioner had approached this Court by filing BLAPL No.10731 of 2024 which was withdrawn vide order dated 08.05.2025. Thereafter, the Petitioner moved this Court again by filing BLAPL No.11575 of 2025, which was also withdrawn vide order dated 13.01.2026. He further submitted that the present bail application is the 3rd application of the Petitioner before this Court after a gap of almost ten months. Referring to the period of pre-trial custodial detention, learned counsel for the Petitioner submitted that the Petitioner is languishing in custody for almost three years. As such it was prayed that the Petitioner be enlarged on bail by taking into consideration the fact that the maximum punishment that can be imposed is imprisonment up to seven years.

6. Learned Additional Standing Counsel 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 the Petitioner is having several criminal antecedents and in the event he is released on bail, there is every likelihood that he might indulge in similar criminal offences or abscond from justice which would eventually cause delay in conclusion of the trial. It was also brought to the notice of the Court that the trial is at its fag end and about to be concluded. On such ground, learned counsel for the State submitted that the bail application of the Petitioner be rejected at this juncture.

7. Having regard to the rival contentions raised by learned counsels appearing for both sides and on careful examination of the materials on record, further taking note of the period of custodial detention and the fact that the co-accused persons have already been enlarged on bail and taking into consideration the nature and gravity of the allegation as well as the period of custodial detention, this Court is inclined to release the Petitioner 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. Release of the petitioner shall be subject to the following conditions:-

I. shall not indulge in similar type of offences while on bail;

II. shall appear before the learned trial Court as and when in presence is required for the purpose of trial;

III. shall not harass and threaten any of the prosecution witnesses and shall not make any attempt with tamper with prosecution witnesses; and

IV. shall appear before the local Police Station once in a week for a period of six weeks, thereafter once in a fortnight for a period of three months, thereafter once in a month till conclusion of trial preferably on ‘Sunday’ in between 10.00 A.M. to 1 P.M.

Violation of any other conditions shall entail cancellation of the bail application.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Sisir

Signature Not Verified
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Signed by: SISIR KUMAR SETHI
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 30-Oct-2026 15:38:37