IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10019 of 2026
CNR No. ODHC010747882026

Kesab Nahak **.....** ***Petitioner***

Represented by Adv. - Jyotirmaya Sahoo

-versus-

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

Represented by Adv. –Mr. M.R. Patra, ASC

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

ORDER

11.11.2026

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 G.R. Case No. 54 of 2013 arising out of Kabisuryanagar P.S Case No. 18 of 2013, pending in the Court of learned J.M.F.C, Kabisuryanagar for alleged commission of offence punishable under Sections 147 / 148 / 323 / 324 / 326 / 307 / 294 / 354 /506 / 149 of IPC.

4. It is stated by the learned counsel for the Petitioner that the Petitioner was earlier arrested in connection with the present case

and thereafter he was released on bail on 01.07.2013. He further contended that the Petitioner failed to appear before the learned Trial Court due to a communication gap with his conducting counsel and an N.B.W. of arrest was issued on 13.07.2026. In execution of such N.B.W., the Petitioner has again re-arrested and taken into custody on 08.09.2026 and since then the Petitioner is in the jail custody. The learned counsel for the Petitioner at this juncture contended that the Petitioner is ready and willing to abide by any terms and conditions and will cooperate with the learned Trial Court for early conclusion of the trial by remaining present on each and every date fixed.

5. Learned Additional Standing Counsel appearing for the State-Opposite Party, on the other hand, objected the release of the Petitioner on bail on the ground that the Petitioner has already made a default and there is no guarantee that the Petitioner shall cooperate with the early conclusion of the trial, on such ground the learned counsel appearing for the State objected to the release of the Petitioner on bail.

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 and further taking note of the fact that the Petitioner had earlier been released on bail and was subsequently taken into custody due to his default in appearing before the learned Trial court and he is in custody since 04.09.2026, this Court is inclined to provide another opportunity to the Petitioner to cooperate with the learned Trial Court for early conclusion of the trial. Accordingly, it is directed that the release the Petitioner on bail subject to imposition of stringent conditions.

7. Hence, it is directed that the Petitioner be released on bail in

the aforesaid case on furnishing bail bond of Rs.40,000/-(Rupees Forty thousand) with two local solvent sureties each for the like amount to the satisfaction of the Court in seisin over the matter.

8. It is open for the Court in seisin over the matter to impose any other terms and conditions as may be deemed just and proper. However, violation of any of the conditions shall entail cancellation of the bail application.

9. The BLAPL is, accordingly, disposed of.

Urgent certified copy of this order be granted to the Petitioner on proper application.

(Aditya Kumar Mohapatra)
Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 12-Nov-2026 12:25:54