IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10231 of 2026
CNR No. ODHC010753192026

Rakesh Kumar Nayak @ Chintu and others ..... ***Petitioners***

Represented by Adv. -
Biswajit Ranjan Tripathy

-versus-

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

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

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
17.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel appearing for the Petitioners 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 Petitioners for regular bail in connection with C.T. Case No.252 of 2026, arising out of Purunakatak P.S. Case No.165 of 2026, pending in the Court of learned J.M.F.C., Harabhanga for alleged commission of offence punishable under Sections 333/ 118(1)/ 118(2)/ 109(1)/ 324(4)/310(2)/296/351(3)/3(5) of the BNS read with Sections 25(1-B)(a) and 27 of the Arms Act.

4. It is stated by the learned counsel for the Petitioners that the Petitioners are languishing in custody since 03.08.2026. He further submitted that in the meantime the investigation has been concluded and final charge-sheet has been filed. Learned counsel for the Petitioners further contended that the Petitioners are some criminal antecedents, they shall abide by any stringent terms and conditions that would be imposed by this Court, in the event their release on bail. It was also brought to the notice of this Court that the Petitioners belong to locality, therefore there is no chance of absconding.

5. Further referring to the allegation made in the FIR, learned counsel for the Petitioners contended that though section 109 of the BNS has been added, however the injury sustained by the injured is similar in nature therefore, such offence is not attracted to the facts of the present case. It is also submitted by learned counsel for the Petitioners that the offence under Sections 25 and 27 of the Arms Act has been dropped from the final charge-sheet. In such view of the matter, learned counsel for the Petitioners contended that the Petitioners be enlarged on bail on any stringent terms and conditions.

6. Learned Additional Standing Counsel on the other hand objected to release the Petitioners on bail on the ground of gravity and seriousness of the allegation. He further contended that the Petitioners are having criminal antecedents, therefore in the event their release on bail, there is every likelihood that they might have involved any similar nature of offences. On such ground, learned counsel for the State prayed for rejection of the bail application.

7. Having regard to the submissions made by the learned counsels appearing for the respective parties and on careful analysis of the nature and gravity of the allegation, further taking note of the fact that the injury sustained are simple in nature and in the meantime charge-sheet has already been filed, this Court is inclined to release the Petitioners on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioners be released on bail in the aforesaid case on furnishing a bail bond of Rs.40,000/- (Rupees Forty thousand) each with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. While imposing condition learned trial Court shall also impose a condition in the case of the persons having any criminal antecedent whereby they shall appear before the local police station once in fortnight, preferably on 'Sunday' in between 10.00 A.M. to 1 P.M. for a period of three months, thereafter once in a month for a period of another three months and shall not indulge in any criminal activities while on bail. Violation of any of the conditions either imposed by this Court or the learned trial Court shall entail cancellation of the bail application.

9. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Designation: Personal Assistant
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 18-Nov-2026 16:49:58