IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10170 of 2026
CNR No. ODHC010757542026

Bishnu Naik and others **.....** ***Petitioners***

Represented by Adv. –
Mr. Biraja Prasanna Das

-versus-

State of Odisha **.....** ***Opposite Party***

Represented by Adv. –

Mr. Manas Ranjan Patra,
ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
04.11.2026

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 bail application as well as the documents annexed thereto.

3. The present bail application under Section 483 of B.N.S.S., 2023 has been filed by the Petitioners for regular bail in connection with G.R. Case No.1665 of 2026, arising out of Bhanjanagar P.S. Case No.954 of 2026, pending in the court of learned S.D.J.M., Bhanjanagar, for alleged commission of offence punishable under Section 274/275/3(5) of BNS, 2023 read with Section 52(a) of Orissa Excise Act, 2008.

4. It is submitted by the learned counsel for the Petitioners that the Petitioners are languishing in jail custody since 12.09.2026. He further submitted that, in the meantime, although the investigation has progressed substantially, the final charge sheet has not been filed. Learned counsel for the Petitioners further submitted that the Petitioners are Salesman of the authorized licence holder of Jogendra Prasad and Sanjaya Prasad. He further submitted that the Petitioners do not have any similar criminal antecedent and that they belong to the locality, therefore, there is no chance of their absconding. On such grounds, learned counsel for the Petitioners contended that the Petitioners be enlarged on bail keeping in view the maximum punishment that can be inflicted under Section 52(a) of the Orissa Excise Act.

5. Learned counsel for the State, on the other hand, opposed the release of the Petitioners on bail on the ground of quantity of illegal liquor seized by the police in course of raid. He further submitted that investigation is still on and that final charge sheet has not been filed. On such grounds, it is submitted that the prayer for bail of the Petitioners be rejected at this juncture.

6. Considering the submissions made by the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case, further taking note of the fact that the Petitioners do not have any similar criminal antecedent, this Court is inclined to release the Petitioners on bail.

7. Hence, it is directed that the Petitioners 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. The release of the Petitioners shall also be subject to such other terms and conditions as would be fixed by the court in seisin over the matter. Violation of any of the terms and conditions shall entail cancellation of bail.

8. It is further directed that the bail granted to the Petitioners shall be subject to the condition that the court below shall verify whether the Petitioners are having any criminal antecedent of similar nature. In the event it is found that the Petitioners are having any criminal antecedent of similar nature, then this bail order shall automatically stand revoked.

9. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 05-Nov-2026 17:31:08