IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10399 of 2026

CNR No.ODHC010757662026

Sangita Bara @ Bada .... ***Petitioner***

Mr. S. Mishra, Advocate

-versus-

State of Odisha .... ***Opp. Party***

Mr. U.C. Jena, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **20.11.2026**

01. 1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the bail application as well as documents annexed thereto during the hearing.

3. The present bail application under Section 483 of BNSS, has been filed by the Petitioner for regular bail relating to Rajnagar P.S. Case No.374 of 2025, corresponding to S.T. Case No.285 of 2025, pending before the learned Sessions Judge, Sundargarh, for alleged commission of offence punishable under Sections 103(1) of BNS.

4. The petitioner has been charge-sheeted for the alleged commission of the offence punishable under Section 103(1) of the BNS and has been in custody since 28.07.2025 in connection with Rajgangpur P.S. Case No.374 of 2025, corresponding to S.T. Case No.285 of 2025, pending before the learned Sessions Judge,

Sundargarh. As per the FIR, on 27.07.2025, the complainant, Mery Bada, upon receiving information, reached her house and found the dead body of her son, Sudeep Bada, lying on the bed. She was informed that a quarrel had taken place between the deceased and his wife, Sangita Bada, during which the petitioner allegedly assaulted him on the head with a thick iron rod (sabbal), resulting in his death at the spot. Accordingly, the complainant lodged a written report, on the basis of which the FIR was registered.

5. It is stated by the learned counsel for the Petitioner that, the Petitioner is a lady who has been in custody since 28.07.2025, i.e. for almost one year and four months. Learned counsel for the Petitioner further contended that in the meantime the investigation has been concluded and charge-sheet has been filed on 24.10.2025. He further contended that though the charge-sheet has been filed more than a year ago, however, the trial has not yet commenced and the likelihood of the trial commencing in the near future is bleak.

6. Referring to the allegations made by the prosecution, learned counsel for the Petitioner contended that as per the post mortem report the death of the deceased occurred due to brain injury caused by neurogenic shock. He further contended that, the Petitioner had no role in the alleged crime. It was also brought to the notice of the Court that there are no eye witnesses to the occurrence and that the Petitioner has been implicated in the present case on the basis of his confessional statement made before the police. He further submitted that such confessional statement made before the police is not admissible in evidence. In

such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail as there is no evidence implicating the present Petitioner in the alleged crime.

7. Learned counsel for the State on the other hand, objected to the release of the Petitioner on bail on the ground of seriousness and gravity the allegations. He further submitted that, although there was no eye witnesses to the occurrence, there are circumstantial evidence including the consequential statement of the Petitioner basing upon which the Petitioner has been implicated in the present case and she has been taken into custody. Learned counsel for the State further submitted that the investigation and the charge-sheet make out a strong prima facie case against the Petitioner. On such ground, learned counsel for the State submitted that the bail application of the Petitioner be rejected at this juncture.

8. 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, as well as the nature and gravity of allegations, further taking note of the following factual aspects: that there are no eye witnesses to the occurrence, that the Petitioner has been implicated only on the basis of the alleged confessional statement made before the Police, that after filing of the charge-sheet on 24.10.2025, the trial has not yet commenced, that the Petitioner is a lady and there are no direct material against her, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.40,000/- (Rupees Fourty Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over

the matter. The release of the Petitioner shall also be subject to such other terms and conditions as is deemed just and proper by the court in seisin over the matter. Violation of any of the terms and conditions shall entail cancellation of bail.

9. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(Aditya Kumar Mohapatra)
Judge

Sarbani

Signature Not Verified
Digitally Signed
Signed by: SARBANI DASH
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 20-Nov-2026 18:03:35