IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10407 of 2026

CNR No.ODHC010758862026

Rocky Khan @ Rakiesh Khan .... ***Petitioner***
Mr. P.K. Kundu, 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 Charichhak P.S. Case No. 170 of 2026 corresponding to G.R. Case No. 661, pending before the learned J.M.F.C., Nimapara, for alleged commission of offence punishable under Sections 296, 115(2), 109, 324 (2), 351(2), 85, 3(5) of BNS read with under Section 4 of D.P. Act and under Section 66 (E), 67(A) of I.T. Act.

4. It is stated by the learned counsel for the Petitioner that, the Petitioner is in custody since 08.09.2026. He further contended that in the meantime investigation has been concluded and final charge-sheet has been filed. Learned counsel for the Petitioner

further submitted that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. Further, referring to the allegations made in the FIR, learned counsel for the Petitioner submitted that as per the prosecution allegations the Petitioner had assaulted the injured. Accordingly, the Petitioner is facing charge under Section 109 of the BNS. He further submitted that the injured has not sustained any injury. Therefore, the offence under Section 109 BNS is not attracted to the facts of the Petitioner's case. He further submitted that although the Petitioner is having some criminal antecedents, he is willing to abide by any such terms and conditions that will imposed by this Court in the event of his release on bail.

5. Learned counsel for the State, on the other hand, objected the bail application of the Petitioner on the ground that the allegation made against the Petitioner is serious in nature. He further submitted that in the event, the Petitioner is released on bail, there is every likelihood that he might abscond or indulge in the similar criminal activities. On such grounds, learned counsel for the State prayed that the bail application of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and taking note of the fact that charge-sheet has already been filed and that the injured has not sustained any injury, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.45,000/- (Rupees Fourty Five 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.

7. Additionally the release of the Petitioner shall be subject to the depositing of a cash security of Rs.5,000/- (Rupees Five Thousand) before the learned Court in seisin over the matter, which shall be kept in any Nationalized Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case and he shall appear before the local police station once in a fortnight for a period of four months preferably on a Sunday in between 10:00 A.M. to 1:00 P.M. Violation of any of the terms and conditions shall entail cancellation of bail.

8. It is further directed that the bail granted to the Petitioner shall be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having any criminal antecedents, then this bail order shall automatically stand revoked.

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 18:03:36