IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10391 of 2026
CNR No. ODHC010768692026

Prakash Ch Biswal @ Prakash Biswal ..... ***Petitioner***

Represented by Adv. - Rajendra Narayan Rout

-versus-

The State of Orissa ..... ***Opposite Parties***

Mr. T.K. Acharya, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
12.11.2026

Order No.

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 application as well as documents annexed thereto.

3. The present bail application under Section 483 of BNSS, has been filed by the Petitioner for regular bail relating to Soro P.S. Case No.652 of 2026, corresponding to C.T. Case No.1304 of 2026, pending before the learned J.M.F.C., Soro, for alleged commission of offence punishable under Sections 310(4), 310(5) of BNS.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is in custody since 04.09.2026. He further submitted that in the meantime the investigation has been concluded and the final charge-sheet has been filed. He further contended that although the Petitioner is having some criminal antecedents, however, he is on

bail in most of those cases. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. Further, referring to the allegation made in the FIR, learned counsel for the Petitioner contended that the Petitioner has been falsely implicated at the instance of the local police. He further submitted that the accused persons including the Petitioner were arrested from a hotel where they were having feast at the hotel during day time. On such ground, learned counsel for the Petitioner emphatically argued that the Petitioner has been falsely implicated in the present case. He further contended that the co-accused persons were released on bail by the learned trial Court. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner is ready and willing to abide by any terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. Learned counsel for the State, on the other hand, opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further contended that the Petitioner is having several criminal antecedents and in the event the Petitioner is released on bail, there is every likelihood that he might abscond from justice or indulge in any criminal offence. In such view of the matter, he submitted that the bail application of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the gravity and seriousness of the allegation as well as the specific role of the present Petitioner in the alleged crime, further keeping in view the period of detention of the Petitioner in jail custody, and the fact that

the charge-sheet has been filed, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.50,000/- (Rupees Fifty 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. The release of the Petitioner shall also be subject to following conditions:-

i) the Petitioner shall not indulge in any criminal offences while on bail;

ii) shall appear before the local police station once in a fortnight for a period of two months preferably on a Sunday in between 10:00 A.M. to 1:00 P.M., thereafter, once in a month for another period of three months.

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 be subject to the condition that the court below shall verify the criminal antecedent of the Petitioner. In the event the Petitioner is having more than seven criminal antecedents, then this bail order shall automatically stand revoked.

9. It is further directed that the bail granted to the Petitioner is subject to 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.

10. Accordingly, the BLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 13-Nov-2026 17:42:44