IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11614 of 2026
CNR No. ODHC010783322026

Raj Malhotra **.....** ***Petitioner***

Represented by Adv.
- Jyotirmaya Sahoo

-versus-

State Of Odisha **.....** ***Opposite Parties***

Represented by Adv.
–Mr. U.C. Jena, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

09.11.2026

Order No.

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

2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the materials placed before this Court.

3. This bail application filed U/S.483 of BNSS by the petitioner for grant of bail in connection with Berhampur Town P.S. Case No. 198 of 2026 corresponding to G.R. Case No. 1307 of 2026 pending in the file of learned SDJM, Berhampur for commission of offences punishable U/s 118(2) / 109 / 296 / 74 /351(2) / 351(3) / 111 / 3(5) of BNS,2023.

4. Learned counsel for the petitioner at the outset submitted that the co-accused person has already been enlarged on bail by the Co-ordinate of Bench of this Court vide BLAPL No.8640 of 2026 on

15.10.2026 and the present petitioner stands on similar footing with the co-accused person. The learned counsel for the Petitioner submitted that the Petitioner in jail custody since 21.05.2026. He further contended that the Petitioner is not the principal Assailant. The learned counsel for the Petitioner further contended that the Petitioner is having two criminal antecedents; he 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. The learned Additional Standing Counsel fairly submits that the State has no objection to the release of the Petitioner on bail and he did not oppose that the fact that other co-accused person has already been enlarged on bail by the Co-ordinate of Bench of this Court.

6. 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, further keeping in view the period of detention of the Petitioner in jail custody and the co-accused persons have already been released on bail by the Co-ordinate Bench of this Court, this Court is inclined to release the Petitioner on bail subject to the Petitioner furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter.

7. The release of the petitioner shall also be subject to following condition: -

I) he shall not indulge in similar criminal offences.

II) shall appear before the I.O. as and when required for the purpose of investigation.

III) shall appear before the concerned Police Station

once every week, preferably on a Sunday between 10:00 A.M. and 1:00 P.M., for a period of two months; thereafter, once every fortnight for the next two months; and subsequently, once every month for a period of three months or until conclusion of the trial.

8. It is further directed that the bail granted to the petitioner shall be subject to depositing a cash security of Rs.3,000/-(rupees three 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 the final outcome of the trial of the case.

9. 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 two similar criminal antecedents, then this bail order shall automatically stand revoked.

10. The BLAPL is, accordingly, disposed of.

Urgent certified copy of this order be granted as per rules.

(Aditya Kumar Mohapatra)
Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 10-Nov-2026 16:06:57