IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.10923 of 2026
CNR No. ODHC010800332026

Tukuna Padhi ..... ***Petitioner***

Represented by Adv. –
Ms. Susmita Pattnaik

-versus-

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

Represented by Adv. –

Mr. Manoj Kumar Mohanty, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
05.11.2026

Order No.

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

2. Heard learned counsel appearing for the Petitioner 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 Petitioner for regular bail in connection with G.R. Case No.646 of 2026, arising out of Garabandha P.S. Case No.63 of 2026, pending in the court of learned S.D.J.M., Parlakhemundi, for alleged commission of offence punishable under Section 309(6) of the B.N.S., 2023.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner is languishing in jail custody since 03.08.2026. She further

submitted that investigation has been concluded and charge sheet has been filed. Learned counsel for the Petitioner further submitted that the Petitioner does not have any criminal antecedent. It was also brought to the notice of this Court that the Petitioner belongs to the locality, therefore, there is no chance of his absconding. Further, referring to the allegation made in the F.I.R., learned counsel for the Petitioner contended that, as per the F.I.R. allegation, the Petitioner along with other co-accused persons took away a sum of Rs.9 lakhs from the Informant. Learned counsel for the Petitioner, at this juncture, contended that substantial portion of stolen money has already been recovered. Learned counsel for the Petitioner further submitted that the Petitioner has been falsely implicated in the present case and that there exists no material against the present Petitioner to establish his involvement in present crime. On such grounds, learned counsel for the Petitioner submitted that the Petitioner be released on bail on any terms and conditions as deemed just and proper by this Court.

5. Learned counsel for the State, on the other hand, opposed the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation. He further submitted that in the event the Petitioner is released on bail, there is every likelihood that he might abscond from justice or he might involve in similar nature of the offence. On such grounds, learned counsel for the State prayed for rejection of the bail application of the Petitioner.

6. Having regard to 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 as well as the nature and gravity of the allegation,

further considering the fact that the charge sheet has already been filed and substantial portion of stolen money has already been recovered, this Court is inclined to release the Petitioner on bail.

7. Hence, it is directed that the Petitioner 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 Petitioner 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 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 whether the Petitioner is having any criminal antecedent. In the event it is found that the Petitioner is having any criminal antecedent, 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: 09-Nov-2026 16:12:57