IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11031 of 2026
CNR No. ODHC010800632026

Subham Kokate **.....** ***Petitioner***

Represented by Adv. -Mr. M.K.Mohanty, A.S.C.

-versus-

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

Represented by Adv. -Mr. M.K.Mohanty, A.S.C.

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

ORDER

Order No. **05.11.2026**

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 materials placed before this Court.

3. The present bail application under Section 483 of B.N.S.S. has been filed by the Petitioner for regular bail in connection with S.T. Case No.68 of 2026 arising out of G.R. Case No.106 of 2026 and Nemalo P.S Case No.46 of 2026, pending in the Court of learned Addl. District and Sessions Judge, Salipur for alleged commission of offence punishable under Sections 331(4)/ 305(a) of BNS.

4. Learned counsel for the Petitioner submits that the

Petitioner has been in custody since 07.05.2026. He further submits that, in the meantime, the investigation has been completed and the final charge sheet has been filed. At this juncture, learned counsel for the Petitioner fairly concedes that the Petitioner has several criminal antecedents; however, he contends that, in most of the cases, the Petitioner has been remanded to custody following his arrest in connection with the present case. He further submits that, although the Petitioner does not belong to the State of Odisha, he is ready and willing to abide by any stringent terms and conditions as this Court may deem just and proper.

5. Further referring to the allegations made in the F.I.R., learned counsel for the Petitioner contended that the F.I.R. was initially lodged against unknown accused persons. He further submitted that the stolen necklace has already been recovered from the possession of the present Petitioner. He also contended that, although the charge sheet has been filed, there is no likelihood of the trial commencing in the near future. Learned counsel further submitted that the offences alleged are triable by a Magistrate and that the maximum punishment prescribed therefor is imprisonment for a term of seven years. On the aforesaid grounds, learned counsel for the Petitioner prayed that the Petitioner be enlarged on bail on such stringent terms and conditions as this Court may deem fit and proper.

6. Learned Additional Standing Counsel 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 in the event the Petitioner is released on bail there is every likelihood that he might indulge in similar criminal offences.

7. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.40,000/- (Rupees Forty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. While imposing conditions, the learned court below shall also impose a condition that the Petitioner shall appear before the jurisdictional Police Station at regular intervals and shall remain present before the learned trial court as and when his presence is required during the course of trial. Violation of any other conditions shall entail cancellation of the bail application

8. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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Signature Not Verified
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Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 09-Nov-2026 14:00:47