IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11579 of 2026
CNR No. ODHC010812532026

Malagam Ganapati ..... ***Petitioner***

Represented by Adv. -
Soubhagya Kumar Dash

-versus-

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

Represented by Adv. -Mr.
U.C.Jena, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **11.11.2026**

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

2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State.

3. This is an application under Section 483 of B.N.S.S. filed by the Petitioner for bail in connection with Parlakhemundi P.S. Case No.327 dated 08.08.2026 corresponding to G.R Case No.664 of 2026 pending in the Court of the learned S.D.J.M., Parlakhemundi for alleged commission of offence under Section 331(4)/ 305(a) of B.N.S.

4. Learned counsel for the Petitioner submitted that the Petitioner has been in custody since 23.08.2026. He further submitted that the investigation has substantially progressed in

the meantime and that the final charge-sheet is likely to be filed shortly. At the outset, learned counsel for the Petitioner contended that all the offences alleged against the Petitioner are triable by a Magistrate and are punishable with a maximum sentence of seven years. He further submitted that the stolen articles have already been recovered in the meantime. He further contended that the Petitioner is having two criminal antecedents and that the Petitioner belongs to the locality, therefore there is no chance of his absconding. In such view of the matter, learned counsel for the Petitioner submitted that the Petitioner be released on bail on such terms and conditions as this Court deems fit and proper in the facts and circumstances of the case.

5. Learned Additional Standing Counsel on the other hand opposed the bail application of the Petitioner on the ground that in the event the Petitioner is released on bail, there is a possibility that he might indulge in similar criminal offences. Accordingly, it was prayed that the bail application of the Petitioner be rejected at this juncture.

6. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, further taking into consideration the period of detention, 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. Violation of any other conditions shall entail cancellation of the bail application.

7. It is further directed that the bail granted to the Petitioner shall be subject to the verification of his criminal antecedent. In the event, the Petitioner is having more than two criminal antecedents, then this order shall stand automatically revoked.

8. It is further directed that the bail granted to the Petitioner is subject to depositing a cash security of Rs.2,000/- (Rupees Two 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.

9. BLAPL is accordingly disposed of.

10. Issue urgent certified copy as per Rules.

(A.K. Mohapatra)

Judge

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Signature Not Verified
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Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 12-Nov-2026 14:15:59