IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11161 of 2026
CNR No. ODHC010814832026

Gandhia Nahak **.....** ***Petitioner***

Represented by Adv. -
Partha Sarathi Das

-versus-

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

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

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
11.11.2026

Order No.

01. 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.71 of 2026, arising out of Polasara P.S. Case No.232 of 2025, pending in the Court of learned Addl. District & Sessions Judge, Kodala for alleged commission of offence punishable under Sections 296/ 115(2)/ 109/ 351(2) of B.N.S.

4. Learned counsel for the Petitioner submitted that the Petitioner was initially arrested in connection with the present

case on 08.04.2025 and was subsequently released on bail on 21.04.2025. He further contended that, owing to a communication gap with the conducting counsel, the Petitioner, who is aged about 72 years, could not appear before the learned trial Court, as a consequence of which a Non-Bailable Warrant (NBW) came to be issued against him on 11.08.2026. He further submitted that, pursuant to the execution of the said NBW, the Petitioner was again taken into custody on 09.09.2026 and has been languishing in custody since then. Learned counsel for the Petitioner further assured this Court that, in the event the Petitioner is released on bail, he shall abide by any stringent terms and conditions that may be imposed by this Court.

5. Learned counsel for the State, on the other hand, opposed the prayer for bail on the ground that the Petitioner had earlier defaulted in appearing before the learned Trial Court and, thereby, violated the conditions of bail. On such ground, learned counsel for the State submitted that the Petitioner should not be enlarged on bail at this stage.

6. 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. Violation of any of the terms and conditions shall entail cancellation of bail.

7. 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: 12-Nov-2026 14:15:59