IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11384 of 2026
CNR No. ODHC010824242026

Rakesh Kumar Choudhury@rajesh Choudhury ..... ***Petitioner***

Represented by Adv. - Achyutananda Pattanaik

-versus-

STATE OF ODISHA ..... ***Opposite Party***

Represented by Adv. – Mr. M.R. Patra, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
17.11.2026

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 C.T. Case No.252 of 2026, arising out of Purunakatak P.S. Case No.165 of 2026, pending in the Court of learned J.M.F.C., Harabhanga for alleged commission of offence punishable under Sections 333/ 118(1)/ 118(2)/ 109(1)/ 324(4)/310(2)/296/351(3)/3(5) of the BNS read with Sections 25(1-B)(a) and 27 of the Arms Act.

4. It is stated by the learned counsel for the Petitioner that the Petitioner is languishing in custody since 03.08.2026. He further submitted that in the meantime the investigation has been concluded and final charge-sheet has been filed. Learned counsel for the Petitioner further contended that the Petitioner has some criminal antecedents, he shall abide by any stringent terms and conditions that would be imposed by this Court, in the event their release on bail. It was also brought to the notice of this Court that the Petitioner belong to locality, therefore there is no chance of absconding.

5. Further referring to the allegation made in the FIR, learned counsel for the Petitioner contended that though section 109 of the BNS has been added, however the injury sustained by the injured is similar in nature therefore, such offence is not attracted to the facts of the present case. It is also submitted by learned counsel for the Petitioner that the offence under Sections 25 and 27 of the Arms Act has been dropped from the final charge-sheet. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner be enlarged on bail on any stringent terms and conditions.

6. Learned Additional Standing Counsel on the other hand objected to release the Petitioner on bail on the ground of gravity and seriousness of the allegation. He further contended that the Petitioner is having criminal antecedents, therefore in the event his release on bail, there is every likelihood that they might have involved any similar nature of offences. On such ground, learned counsel for the State prayed for rejection of the bail application.

7. Having regard to the submissions made by the learned counsels appearing for the respective parties and on careful analysis of the nature and gravity of the allegation, further taking note of the fact that the injury sustained are simple in nature and in the meantime charge-sheet has already been filed, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.40,000/- (Rupees Forty thousand) with two 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 condition learned trial Court shall also impose a condition in the case of the person having any criminal antecedent whereby he shall appear before the local police station once in fortnight, preferably on 'Sunday' in between 10.00 A.M. to 1 P.M. for a period of three months, thereafter once in a month for a period of another three months and shall not indulge in any criminal activities while on bail. Violation of any of the conditions either imposed by this Court or the learned trial Court shall entail cancellation of the bail application.

9. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Signature Not Verified
Sisir
Digitally Signed
Signed by: SISIR KUMAR SETHI
Designation: Personal Assistant
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 18-Nov-2026 16:49:57