IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11921 of 2026
CNR No. ODHC010825082026

Benudhr Kishan & Anr. ..... ***Petitioners***

Represented by Adv. - Dhirendra Kumar Mohapatra

-versus-

State Of Odisha ..... ***Opposite Party***

Represented by Adv. – D.K. Sahoo, A.G.A.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
10.11.2026

Order No.

01. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the Petitioners and learned Additional Government Advocate 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 Petitioners for regular bail in connection with G.R. Case No.562 of 2026, arising out of Dharuadihi P.S. Case No.194 of 2026, pending in the Court of learned J.M.F.C. (Rural), Sundargarh for alleged commission of offence punishable under Sections 191(2)/296/351(2)/324(4)/ 132/109(1)/ 190 of the BNS.

4. It is submitted by the learned counsel for the Petitioners that the Petitioners are in custody since 29.09.2026. He further contended that in the meantime investigation has progressed substantially and the charge sheet is likely to be filed very soon. He

further submitted at this juncture submitted that the Petitioners do not have any similar criminal antecedent and that they belong to the locality, therefore, there is no chance of their absconding. He further submitted that the injury sustained by the injured are simple in nature, therefore, the offence under Section 109 of the BNS is not made out against the Petitioners. He further submitted that the co-accused persons have been released on bail by this Court in ABLAPL No.12164 of 2026 and ABLAPL No.12564 of 2026. On such ground, learned counsel for the Petitioners contended that the Petitioners be released on bail on any stringent terms and conditions that would be imposed by this Court.

5. Learned Additional Government Advocate, on the other hand, opposed the bail application of the Petitioners on the ground of gravity and seriousness of the allegation. Learned counsel for the State further submitted that in the event the Petitioners are released on bail, there exists a possibility that they might abscond from justice which would eventually cause delay in conclusion of the investigation as well as the trial. On such ground, learned counsel for the State prayed for rejection of the bail application of the Petitioners.

6. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, further keeping in view the fact that injury sustained by the injured is simple in nature and the Petitioners do not have any similar criminal antecedent, this Court is inclined to release the Petitioners on bail subject to imposition of stringent conditions.

7. Hence, it is directed that each of the Petitioners 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.

8. 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.

9. It is further directed that the bail granted to the Petitioners shall be subject to the verification of their criminal antecedent and the injury report. In the event, the Petitioners are having any similar criminal antecedent or the injury sustained by the injured is grievous in nature, then this order shall stand automatically revoked.

10. The BLAPL is, accordingly, disposed of.

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(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 11-Nov-2026 15:05:57