IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.1020 of 2026
CNR No. ODHC010826652026

Rabindra Kumar Rout ..... ***Appellant***

Represented by Adv. - Biswojeet Lenka

-versus-

State of Odisha & Anr. ..... ***Respondents***

Represented by Adv. -Mr. J.K.Khandayatray, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
19.11.2026

Order No.

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

2. Heard learned counsel appearing for the Appellant and learned Additional Standing Counsel appearing for the State-Respondent No.1. Perused the materials placed before this Court.

3. The present application under Section 14-A of the SC and ST (POA) Act, 1989 has been filed by the Appellant for regular bail in connection with Spl. Case No.48/109 of 2026, arising out of Kharia P.S Case No.18 of 2025, pending in the Court of learned Presiding Officer, Spl. Court (SC & ST), Balasore for alleged commission of offence punishable under Secton-296, 115(2), 126(2), 118(1), 109(1), 351(3) & 3(5) of B.N.S., 2023 read with Section 3(l)(r)(s), 3(2)(v)(va) of the SC & ST (PoA) Act.

4. It is stated by the learned counsel for the Appellant that the Appellant is languishing in custody since 06.10.2026. He further

submitted that in the meantime the investigation has been concluded and the final charge sheet has been filed. Learned counsel for the Appellant further submitted that though charge sheet has been filed, however there is no possibility of the trial being commenced in the near future. He further submitted that the injury sustained by the injured are simple in nature. Therefore, the offence under Section 109 of the BNS would not be attracted to the facts of the present case. In course of his argument, learned counsel for the Appellant further submitted that one of the co-accused who has also been named in the F.I.R., namely one Sanjay Giri, has already been released on bail by the learned trial court in the meantime. So far, the present Appellant is concerned, it is stated that he is having four criminal antecedents, out of which only one is similar. He further submitted that the Appellant is ready and willing to comply with any stringent terms and conditions that may be imposed by this Court while granting him bail.

5. On perusal of the records, it appears that although notice was issued to the informant, the same could not be served on the informant as the informant was found absent at her given address.

6. Learned counsel for the State, on the instruction from the concerned IIC, submitted that the informant has shifted to Chennai in connection with her job. Therefore, the notice was not served on the informant. Learned counsel for the State, in course of his argument, objected to the release of the Appellant on bail on the ground of gravity and seriousness of the allegation. He further submitted that in the event the Appellant is released on bail there is every likelihood that he might abscond or indulge in similar criminal offences. Accordingly, it was prayed that the bail application being devoid of merit be rejected at this juncture.

7. Having regard to the submissions made by the learned counsel appearing for both sides, on a careful examination of the nature and gravity of the allegation and further taking note of the fact that injuries sustained are simple in nature, that one of the co-accused has been released on bail and, in the meantime, charge sheet has been filed, this Court is inclined to release the Appellant on bail subject to imposition of stringent conditions.

8. Hence, it is directed that the Appellant be released on bail in the aforesaid case on furnishing bail bond of Rs.40,000/-(Rupees Forty Thousand) with two local solvent sureties each for the like amount to the satisfaction of the 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.

9. Additionally, the release of the Appellant shall be subject to verification of the injury as well as the fact that co-accused Sanjay Giri has been released on bail. In the event it is found that the injuries sustained are grievous in nature or that co-accused Sanjay Giri has not been released on bail by the learned trial court, this order shall not be given effect to.

10. Accordingly, the CRLA stands disposed of.

(A.K. Mohapatra)
Judge

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