IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.11891 of 2026
CNR No. ODHC010855022026

Rabi Narayan Khatei **.....** ***Petitioner***

Represented by Adv. -
Bijay Kumar Behera

-versus-

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

Represented by Adv. –
M.R. Patra, A.S.C.

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 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 G.R. Case No.872 of 2026, arising out of Khurda Sadar P.S. Case No.309 of 2026, pending in the Court of learned S.D.J.M., Khurda for alleged commission of offence punishable under Sections 288/61(2) of BNS read with Section 5 of the Explosives Substance Act, 1908.

4. Learned counsel for the Petitioner submits that the Petitioner is languishing in custody since 06.07.2026. He further contended that in the meantime, final charge-sheet has been filed. Learned counsel for the Petitioner further contended that the Petitioner does

not have any criminal antecedent and that he belongs to locality. Therefore, there is no chance of his absconding. Further, referring to the allegations made in the FIR, learned counsel for the Petitioner contended that certain explosive articles were recovered from the possession of the present Petitioner. In reply to the same, learned counsel for the Petitioner contended that the Petitioner, who is working at a stone query, made use of the explosives for breaking the stones in the query. He further submitted that the Petitioner had no idea that the persons who had engaged them not did have the licence/ authority for possession of such explosives. It was also brought to the notice of this Court that the Petitioner does not have any criminal antecedent and that he belongs to locality. Therefore, there is no chance of his absconding.

5. Learned Additional Standing Counsel on the other hand objected to the release of the Petitioner on bail on the ground of gravity and seriousness of the allegation. He further submitted that in the event the Petitioner is released on bail, there is every likelihood that he might abscond or even indulge in offences of similar nature. On such ground, learned counsel for the State objected to the release of the Petitioner on bail.

6. Having regard to the submissions made by learned counsels appearing for both sides, on a careful examination of the surrounding facts and circumstances as well as the nature and gravity of the allegation, further taking into consideration the period of custodial detention of the Petitioner as well as the fact that the charge-sheet has already been filed and investigation has been concluded and that the Petitioner does not have any criminal antecedents, this Court is inclined to release the Petitioner on bail.

7. 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. Violation of any of the conditions shall entail cancellation of the bail application.

8. It is further directed that the bail granted to the Petitioner shall be subject to the condition that the court below shall verify whether the Petitioner is having any criminal antecedent. In the event it is found that the Petitioner is having any criminal antecedent, this bail order shall automatically stand revoked.

9. 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