IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12153 of 2026
CNR No. ODHC010865392026

Raj Kishore Nayak ***.....*** ***Petitioner***

Represented by Adv. –
Mr. Pramod Kumar Mishra

-versus-

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

Represented by Adv. –

Mr. Amitabh Pradhan, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
20.11.2026

Order No.

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

2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the bail application as well as the documents annexed thereto.

3. The present bail application under Section 483 of BNSS, 2023 has been filed by the Petitioner for regular bail in connection with G.R. Case No.63 of 2025, arising out of Badamba P.S. Case No.39 of 2025, pending in the court of learned J.M.F.C., Badamba, for alleged commission of offences

punishable under Sections 318(4)/296/115(2)/351(2)/3(5) of BNS, 2023.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner has been languishing in jail custody since 26.09.2026. He further submitted that, in the meantime, the investigation has been concluded and the final charge sheet has been filed. Learned counsel for the Petitioner further contended that the Petitioner does not have any criminal antecedent and that he belongs to the locality, therefore, there is no chance of his absconding. In course of hearing, learned counsel for the Petitioner contended that both the Petitioner and the Informant are related to each other. He further submitted that the dispute arose between the Petitioner and the Informant with regard to distribution of compensation money awarded in a land acquisition proceeding. Learned counsel for the Petitioner further contended that the Informant has claimed her share to the tune of Rs.8,95,000/-, out of the entire money which has been deposited to the account of the Petitioner of Rs.17,90,718/-. In view of the aforesaid factual background, learned counsel for the Petitioner submitted that the dispute is basically in civil in nature and prayed that the Petitioner be enlarged on bail on any stringent terms and conditions.

5. Learned counsel for the State, on the other hand, opposed the release of the Petitioner on bail on the ground that in the event the Petitioner is released on bail, there is every likelihood that he might abscond from justice which would eventually

cause delay in conclusion of the trial. On such grounds, learned counsel for the State prayed for rejection of the bail application of the Petitioner.

6. Having regard to the submissions made by the learned counsels appearing for both sides, on a careful examination of the nature and gravity of the allegation, and the fact that the Petitioner does not have any criminal antecedent and the fact that, in the meantime, charge sheet has been filed, 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 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. The release of the Petitioner shall also be subject to the following conditions:-

> I. He shall furnish a cash security of Rs.1,00,000/- (Rupees One Lakh) before the court in seisin over the matter, which shall be kept in any Nationalized Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case; and
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> II. He shall also furnish a property security to the tune of Rs.5,00,000/- (Rupees five lakhs) before the

court in seisin over the matter.

8. It is open for the court in seisin over the matter to impose any other conditions as it may be deemed just and proper. Violation of any of the conditions imposed either by this court or the court in seisin over the matter shall entail cancellation of the bail.

9. The BLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 25-Nov-2026 09:06:05