

04/12.08.2028

The case record is put up today. The IIC Polasara PS has submitted up to case dairy and other connected papers. Put up later for hearing of the bail application.

Sd/-

Addl.S.J., Kodala

FIR No.	Dated	Police Station	Case No. and Courts Name	Sections
414 of 2026	16.07.26	Polasara Ganjam	GR No.412 of 2026 of JMFC, Polasara	126(2)/296 115(2)/118(1) /351(2)/ 3(5) BNS

Later:**04/12.08.2026****ORDER: Dated 12.08.2026**

The learned counsel for the petitioner has filed an application under section-483 BNSS seeking release of the petitioner namely **Jaya Dalabehera** on bail. Further, a certificate has been appended in the petition to the effect that no such bail application is pending before the Hon'ble High Court of Orissa, Cuttack or any other Court. Copy of the petition has been served on the Addl. P.P.

The learned Addl. PP appearing for the State and learned counsel for the petitioners are present.

Heard both the sides on point of bail.

On perusal of the record, it is seen that one Anita Padhy lodged a written report at Polasara PA alleging that on 14.07.2026 at about 8.30 PM while her husband was sitting on his verandah, the petitioner due to previous enmity reached there, abused and assaulted him by means of a knife causing bleeding injury on his abdomen for which he was treated at CHC, Polasara and then referred to MKCG, MCH, Berhampur.

On receipt of written report Polasara PS case No.414, dated 16.07.2026 is registered under section 126(2)/296/115(2)/118(1)/351(2)/3(5) of BNS. During investigation, the IO recorded the statement of informant and other witnesses, arrested the petitioner in alleged offences under section 126(2)/296/115(2)/118(1)/351(2)/3(5) of BNS and produced him before the Court of JMFC, Polasara, where his prayer for bail was rejected. Hence, this application.

On perusal of the record, it is seen that the IO during investigation has seized one bamboo from the spot which is the weapon of offence used by the petitioner. The IO has also submitted up to date along with other connected papers in which he has mentioned that the injured Santosh Padhy who was treated at MKCG, MCH, Berhampur vide registration No.8625, dated 15.07.2026 is discharged on 24.07.2026 but the injury report is yet to be received. The aforesaid fact indicates that the life of injured is out of danger. The informant in his statement has stated that the petitioner assaulted her husband by means of a knife but the investigation reveals that this petitioner has used a bamboo as a weapon of offence which indicates that the informant has developed new facts. The petitioner has been in custody since 17.07.2026. In meantime most part of the investigation has already been completed. Further detention of the petitioner behind the bar is no way helpful to the case of prosecution. The forwarding report submitted by the IO reveals that the petitioner is the first offender and no other cases pending against him.

Considering the above facts and circumstance of this case, the petitioner may be released on bail. Accordingly, the petition is allowed.

In view of the above analysis, let the petitioner **Jaya Dalabehera** be released on bail by furnishing bond of rupees 30,000/- (Thirty thousand) with one solvent surety for the like amount under the satisfaction of the Court of JMFC, Polasara with condition that:

- i. He shall not commit any similar type of offence while on bail,
- ii. He shall not give threat or terrorize the prosecution witnesses or to any person acquainted with the facts and circumstances of the case,
- iii. He shall not tamper with the evidence of the prosecution in any manner, and
- iv. He shall appear before the IO on each Sunday preferably in between 10-11 AM and further as and when required for the purpose of investigation/inquiry and co-operate him till submission of final form.
- v. He shall not leave the State of Odisha without prior permission of this Court.

Violation of any of the above conditions shall entail cancellation of the bail.

Send the copy of this order along with the L.C.R. forthwith to the learned J.M.F.C, Polasara for information & necessary action. Also send a copy of this order to Superintendent of Sub-Jail, Kodala/IIC, Polasara PS by e-mail for information.

Typed out to my dictation and corrected by me.

Sd/-
Addl. Dist. & Sessions Judge,
Kodala, dt.12.08.2026