

IN THE COURT OF THE SESSIONS JUDGE : KENDRAPARA

BLAPL No. 232 of 2026
(CNR No. ODKE01-000740-2026)

1. Parsuram Sahoo, aged about 56 years
 2. Upendra Sahoo, aged 42 years
Both sons of Bhagabat Sahoo,
Vill: sobala, PS: Pattamundai Model,
Dist: Kendrapara Accused
- Petitioners

Vrs.

S T A T E

.... Opposite Party

02
12.08.2026

The present order will dispose of the bail application filed by the above named petitioners, who are in custody for commission of offences punishable u/ss.331(4)/305/317(2)/3(5) of the BNS in connection with Derabish PS Case No.174 of 2026 corresponding to GR Case No.396 of 2026 pending in the file of learned JMFC(CT), Kendrapara. A certificate has been filed by the petitioners that no other bail application in connection with the present case is pending before any other court.

2. Heard the learned counsels for the parties. Perused the FIR, the statements of the witnesses and other documents available in the case record. The FIR in the instant case has been lodged against unknown persons wherein it has been alleged that on the date of the occurrence while no one was present in the house of the brother of the informant, some unknown persons have committed theft of gold ornaments and cash by breaking open the door of the said house.

3. On perusal of the forwarding report and the case diary submitted by the IO, it is forthcoming that the petitioners named above are allegedly receivers of stolen properties. There is nothing in the

case record to show that they had participated in the commission of theft alleged in the present case. It is further forthcoming from the case diary and so also from the forwarding report that the petitioners have been arrayed as accused in the present case on the basis of the confessional statement of one of the co-accused namely Santosh Malik, who allegedly had participated in the commission of theft. His confessional statement reveals that he had handed over the stolen articles that had fallen in his share to the present petitioners. It is further evident from the materials on record that some gold ornaments have been seized from the possession of both the petitioners. However, there is no material to show that after seizure of such gold ornaments, the same have been put to TI parade to identify as to whether the seized gold ornaments are the same gold ornaments that have been allegedly stolen from the house of the brother of the informant. Furthermore, except the confessional statement of the co-accused, no other incriminating material is available to implicate the petitioners in the commission of the offence alleged.

4. Be that as it may, if the materials collected till now during investigation are taken into consideration, it can be said that as against the present petitioners the only offence made out is punishable under section 317(2) of BNS, which is triable by any Magistrate and punishable upto three years. No criminal antecedent has been reported against the petitioners. It is submitted that the petitioners are the permanent residents of the district and there is no chance of their absconding. The petitioners are in custody since 02.08.2026 and by now they must have understood the rigors of law. Therefore taking into consideration the nature of allegations made, the materials collected till date suggesting complicity of the petitioners in the commission of offences alleged and the fact that the offences are triable by Magistrate, I am inclined to release the petitioners named

above on bail. The learned JMFC(CT), Kendrapara is directed to release the petitioners on bail on such terms and conditions as it deems it fit and proper subject to condition that petitioners shall appear before IIC, Derabish PS once in every Sunday within 10 AM to 2 PM for a period of three months from the date of their actual release from custody.

Send a copy of this order along with the L.C.R to learned JMFC(CT), Kendrapara/IIC Derabish PS for his information and necessary action. The IIC Derabish PS shall periodically submit reports to the court in seisin over the matter regarding the appearance of the petitioners before it as directed above.

The copy of the order be also forwarded to Secretary DLSA as well as the Superintendent of District Jail, Kendrapara through their respective e-mail Ids forthwith for their information.

Sessions Judge, Kendrapara