



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.320 of 2026

Arun Mahana

...

Petitioner

Mr. P.C. Jena, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. T.K. Acharya, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
25.02.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S.483 of BNSS by the petitioner for grant of bail in connection with Rasgovindpur PS Case No.159 of 2024 corresponding to ST Case No.244 of 2024, pending in the Court of learned 1st Addl. Dist. & Sessions Judge, Baripada, Mayurbhanj, for commission of offences punishable U/S. 302 of IPC, on the allegation of committing fratricide by giving sword blows to the deceased.
3. Heard, Mr. Pravash Chandra Jena, learned counsel for the petitioner and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter and perused the record including the copy of depositions of PWs.1-12.
4. After having considered the rival submissions upon perusal of record, there appears allegation against the petitioner for committing murder of his own brother by assaulting him with a sword, but the petitioner mainly



relies upon the evidence of these witnesses PWs.1-12 who have not supported the prosecution allegation for his release on bail, however, the vital eye witness namely Gita Murmu, who is stated to be the second wife of the deceased is yet to be examined. In view of the aforesaid facts and taking into consideration the nature and gravity of the offence as alleged against the Petitioner vis-à-vis the accusation sought to be brought against him and regard being had to the materials placed on record together with refusal of bail to the petitioner in BLAPL No.1171 of 2025 and there being no virtual change in circumstance in the meanwhile and taking into account the other circumstances on record in entirety including the law laid down by the Apex Court in ***X vs. State of Rajasthan; (2024) SCC OnLine SC 3539***, this Court is not inclined to grant bail to the petitioner.

5. Hence, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the learned trial Court.

(G. Satapathy)
Judge

Jayakrushna