



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.864 of 2025

Mahendra Luha @ Petitioners
Mahendra Ganda @ Luha and another
Mr. S. Dwibedi, Advocate

-Versus-

State of Orissa Opposite Party
Mr. P.K. Ray, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
27.03.2025

Order
No.
02.

1. Heard learned counsel for the petitioners and State.
2. Instant petition under Section 483 BNSS is filed for release of the petitioners on bail in connection with G.R. Case No.2356 of 2024 pending in the file of learned S.D.J.M., Balangir corresponding to Deogaon P.S. Case No.291 of 2024 on the grounds stated.
3. Mr. Dwibedi, learned counsel for the petitioners submits that the present accused persons are on similar footing like the co-accused, namely, Ghasiram @ Denjalia Samala @ Tamalia, who has been granted bail vide BLAPL No.1851 of 2025. The submission is that the petitioners, since similarly situated, should be allowed to go on bail as well. Mr. Ray, learned AGA for the State opposed release of the petitioners on the ground that they are responsible for the alleged mischief. Gone through the FIR as at Annexure-1 and the allegations made therein. The Court finds that the accused persons committed the mischief by not paying the dues to the informant and others. In fact, the informant and others travelled all the way to the State of Telangana in search of employment and the money due



to them was not disbursed and alleged to have been misappropriated by the accused persons. The statements of a witness, namely, Jibardhan Chinda and also the informant under Section 180 BNSS made to reveal that payment in advance was received by the informant and others others but thereafter, the outstanding due was not paid. Considering the nature of allegations and the alleged mischief committed by the petitioners and others and as the co-accused named above is on bail and they are found to be on equal footing, the Court is inclined to direct them to go on bail with similar conditions. The petitioners are in custody from 11th December, 2024 and at present, the investigation is in progress and under the impression that it must have progressed to a considerable extent, the Court reiterates its view to grant bail to the petitioners.

4. Accordingly, it is ordered.

5. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioners are directed to be released on bail in connection with G.R. Case No.2356 of 2024 arising out of Deogaon P.S. Case No.291 of 2024 subject to them furnishing bail bonds of Rs.50,000/-(rupees fifty thousand) each with one solvent surety for the like amount each to the satisfaction of the learned S.D.J.M., Balangir, who shall impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, they shall not involve themselves in such criminal activities, while illegally mobilizing the work force, after being released.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted as per rules.

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC TUDU
Date: 28-Mar-2025 11:11:21



(R.K. Pattanaik)
Judge