



IN THE HIGH COURT OF ORISSA AT CUTTACK
Sumanta Kumar Nayak and another ... Petitioners
(In BLAPL No. 931 of 2026)

Ramesh Nayak
(In BLAPL No. 1057 of 2026)

Mr. R.C. Maharana, Advocate
(In BLAPL No. 931 of 2026)

Mr. G. Mohanty, Advocate
(In BLAPL No. 1057 of 2026)

-versus-

State of Odisha

... Opposite
Party

Mr. S.C. Pradhan, Addl. PP

CORAM:JUSTICE G. SATAPATHY

ORDER(ORAL):07.04.2026

Order No.

03.

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

2. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.

3. These are the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with CT Case No. 1244 of 2024 arising out of Khandagiri PS Case No. 465 of 2024 pending in the file of learned JMFC-V, Bhubaneswar for commission of offences punishable U/Ss. 126(2)/ 109/ 296/ 351(2)/ 117(2)/ 3(5)/103(1) of BNS, on the main allegation of assaulting one Prakash Kumar Sahoo by means of cricket bat, split wood, stump and billhook, along with co-accused persons resulting in serious injury to him, but the injured dying subsequently while undergoing treatment.

4. Heard, Mr. Ramesh Chandra Maharana, learned counsel for the Petitioners in BLAPL No. 931 of 2026; Mr.



Gourav Mohanty, learned counsel for the Petitioner in BLAPL No. 1057 of 2026 and Mr. S.C. Pradhan, learned Additional Public Prosecutor in the matter and perused the record.

5. After having considered the rival submissions upon perusal of record, it appears that the alleged incident took place on 10.07.2024, but the injured Prakash Kumar Sahoo was admitted to Capital Hospital on the same day, however, he was shifted to IMS Sum Hospital on 11.07.2024 and the said injured was discharged from the Sum Hospital, Bhubaneswar on 29.08.2024 with referral to higher institute for further management, but as the condition of the injured deteriorated, he was again admitted to Sum Hospital on 10.09.2024, however, unfortunately, he succumbed to death on 06.10.2024. It is also not in dispute that the Petitioners had earlier surrendered in the Court and released on bail vide order dated 24.09.2024 passed by the learned 3rd Addl. Sessions Judge, Bhubaneswar in BLAPL No. 1961 of 2024, but the bail of the Petitioners was subsequently cancelled by the concerned Court on 26.06.2025 on the application of the learned Addl. Public Prosecutor for commission of offence turning into Sec.103 of BNS.

6. It is, however, not in dispute that co-accused Prasanta Kumar Nayak, Mantu @ Manas Nayak, Gudu @ Aditya Nayak have been admitted to bail by the said Court on 25.10.2025 in BLAPL No. 2044 of 2025. Additionally, the Petitioners again surrendered in the concerned Court on 18.11.2025, but only to find them in custody as their bail applications were rejected by the



same Court. In the aforesaid facts and situation and taking into account the opinion of the Doctor as to cause of death of the deceased to be due to Septicaemia and shock as a result of the injuries and its complication thereof and regard being had to the pre-trial detention of the petitioners in custody with submission of charge sheet in the meantime and grant of bail to co-accused standing on similar footing and keeping in view the other circumstances on record in entirety, this Court without expressing any view on merit admits each of the petitioners to bail.

7. Hence, these two bail applications of the petitioners namely Sumanta Kumar Nayak, Raja @ Debasis Nayak & Ramesh Nayak in BLAPL Nos. 931 & 1057 of 2026 are allowed and each of the petitioners is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) each with two solvent sureties for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

8. Accordingly, these BLAPL Nos. 931 & 1057 of 2026 stand disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge