



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.1508 of 2026

Biswajit Debata

...

Petitioner

*Mr. D. Nayak, Sr. Advocate along
with Mr. D.K. Sahoo, Advocate
-versus-*

State of Odisha

...

Opposite Party

Mr. C. Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):25.03.2026

Order No.

01.

1. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Industrial PS (Nisa) Case No.40 of 2025 corresponding to CT (S) Case No.435 of 2025 pending in the file of learned Additional Sessions Judge, Angul, for commission of offences punishable U/Ss.103(1)/115(2)/126(2)/296/303(2)/3(5) of BNS.

2. Heard, Mr. Dharanidhar Nayak, learned Senior Counsel, who is being assisted by Mr. Mr. Deepak Kumar Sahoo, learned counsel for the petitioner and Mr. C. Mohanty, learned Additional Public Prosecutor in the matter and perused the record.

3. After having considered the rival submissions upon perusal of record, there appears allegation against the petitioner for committing murder of the deceased Md. Zilani Alam, but the prosecution mainly relies upon the statement of independent eye witnesses, who being examined as PWs.1 and 5 have not supported the prosecution allegation against the petitioner, however, the informant is also an eye witness to the occurrence, but he is yet to be examined. It is, however, found by the



learned trial Court that despite summons, the informant is not turning up to depose evidence. In a criminal trial, the accused has a legitimate right to free, fair and speedy trial, but the accused cannot be made to wait in confinement for indefinite period merely because one day the witness will appear in the Court to depose evidence. In the aforesaid facts and situation and taking into account the pre trial detention of the petitioner in custody since 09.02.2025 and most of the material witnesses having already been examined and keeping in view the other circumstances on record in entirety including the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing any view on merits admits the petitioner to bail.

4. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) only with one solvent surety 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.

5. Accordingly, the BLAPL stands 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