



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.2357 of 2026**

***Dillip Kumar Bhoi @ ..... Petitioner(s)***  
***Dillip Bhoi***

Mr. Milan Kanungo, Senior Advocate  
along with Mr. Biswabhusan Das, Advocate

*-versus-*

***State of Odisha ..... Opposite Party(s)***

Mr. Jateswar Naik, AGA

**CORAM: JUSTICE SIBO SANKAR MISHRA**

**Order**  
**No.**  
**01.**

**ORDER**  
**05.05.2026**

1. Heard.
2. The petitioner is an accused in connection with Biridi P.S. Case No.275 of 2024 corresponding to C.T. Case No.332 of 2024 registered on the allegation of the commission of the offence under Section 103(1) of B.N.S., 2023 pending in the Court of the learned Additional Sessions-cum-Special Judge, Jagatsinghpur.
3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court



below vide its order dated 12.02.2026 has rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.

**4.** Learned counsel for the petitioner, on instruction from the petitioner, submits that, except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.

**5.** The prosecution case, in brief, is that on 07.09.2024, the informant lodged a written report before the I.I.C. of Biridi P.S., alleging therein that on the previous day, i.e., on 06.09.2024 at about 8:00 P.M., her husband had left the house to apply for Subhadra Yojana but did not return. It is further alleged that on the intervening night at about 1:00 A.M., the accused, including the present petitioner and his mother, came to the informant's house, knocked on the door, and stated that her husband had broken a mobile phone, while also threatening to kill him. It is



further alleged that the accused-petitioner has killed the husband of the informant. Hence, this case.

**6.** Mr. Kanungo, learned Senior Counsel appearing for the petitioner has drawn the attention of this Court to the evidence of the vital prosecution witnesses recorded by the learned trial Court, which has been annexed as Annexure-3 series. He submits that while rejecting the bail application of the petitioner vide order dated 12.02.2026, learned trial Court has not looked into those evidences, which clearly makes out a case for grant of bail to the petitioner.

**7.** I have perused the impugned order dated 12.02.2026 passed by the learned Additional Sessions-cum-Special Judge, Jagatsinghpur, rejecting the bail application of the petitioner. The submission of Mr. Kanungo, learned Senior Counsel finds substance because the learned trial Court while rejecting the bail application has not dealt with the evidence of the witnesses.

**8.** In that view of the matter, I am not inclined to entertain the present petition at this stage. However,



liberty is granted to the petitioner to renew the bail plea before the trial Court. If such bail application is moved, it is expected that the learned trial Court shall consider the evidence already on record and decide the bail plea afresh in accordance with law. Needless to say that, the petitioner has already been in custody as an under trial prisoner for more than one year seven months.

**9.** With this observation, the BLAPL stands disposed of.

***(S.S. Mishra)***  
***Judge***

Swarna

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