



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 2307 of 2026

1.Ashok Barik
2.Mukesh Pradhan

Petitioners

....
Mr. S.C. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Ray, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

08.05.2026

Order No.

- 02.** 1. Heard learned senior counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are accused in connection with C.T. Sessions Case No.29 of 2026 (C.T. Case No.9(A) of 2024) pending on the file of learned Additional Sessions Judge, Jharsuguda, arising out of **Rengali P.S. Case No.01 of 2024** for commission of offence alleged under Sections 307/302/120-B and 395 of IPC.
3. Learned senior counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioners relating to the aforementioned P.S. case is pending in any other Court.



4. Being aggrieved by the rejection of their application for bail U/s.483 of the BNSS by the learned Additional District & Sessions Judge, Jharsuguda by order dated 23.02.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned senior counsel that the allegation against the present Petitioners is that they along with the co-accused have assaulted three persons Bikash Lugun, Md. Arbaz and Md. Abyaz and that one of the injured persons, Bikash Lugun succumbed to his injuries.

6. It is the submission of the learned senior counsel that, the present Petitioners along with one Sachin Sahoo were before this Court in ABLAPL No.5657 of 2024, wherein an interim protection was initially granted by order dated 18.06.2024. Subsequently the Petitioners moved this Court in ABLAPL No.5657 of 2024, which was disposed of by this Court by order dated 08.01.2026, as withdrawn. Thereafter, the Petitioners moved this Court in ABLAPL No.626 of 2026 and by order dated 30.01.2026, this Court disposed of the pre-arrest bail with liberty to surrender and seek bail.

7. It is submitted by the learned senior counsel, referring to the evidence on record in respect of the



co-accused who are facing trial, that the injured witnesses were examined as P.W.17 and 18. They have not supported the prosecution and it is also stated that the other material witnesses, who were examined under Section 164 of Cr.P.C have also not supported the prosecution. Hence, further continuance of the Petitioners in custody is not warranted.

8. It is also brought to the notice of this Court referring to the statements of P.Ws.17 and 18 that this Court had released the co-accused, namely, Mahendra Pandey as well as Ranjit Pradhan @ Bulu in BLAPL No.30 and 76 of 2026 respectively by order dated 11.02.2026. Hence, the Petitioners may be released on bail.

9. Learned counsel for the State opposes the prayer for bail and submits that so far as the evidence on record is concerned, the same being in respect of the co-accused, who are in custody cannot be pressed into service qua the accusation vis-à-vis the Petitioners. Hence, that ought not to weigh with this Court in the present case taking into account the allegations are, inter alia, under Section 302 of IPC.

10. There cannot be two views regarding the same.



11. Considering that the evidence on record qua the co-accused cannot be taken into account in the case at hand and taking into account that the statements made before the learned Magistrate as well as 161 Cr.P.C, this Court is not inclined to entertain this BLAPL at this stage. Giving liberty to the Petitioners to renew their prayer after examination of the injured witnesses, who were with the deceased as per the prosecution case.

12. Accordingly, the BLAPL stands disposed of. U.C.C as per rules.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified

Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 09-May-2026 14:46:29

