



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2352 of 2026

Umakanta Bachha

.... **Petitioner(s)**

Mr. G. Sahu,
Advocate

-versus-

State of Orissa

.... **Opp. Party(s)**

Ms. S. Devi, ASC

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order

No.

02.

ORDER

04.05.2026

1. The petitioner is an accused in connection with Padampur P.S. Case No.343 of 2025 corresponding to G.R. Case No.1316 of 2025 registered on the allegation of the alleged commission of offence punishable under Sections 85/103(1) of BNS, pending in the court of the learned SDJM, Padampur.

2. The petitioner had approached the learned Addl. Sessions Judge, Padampur in B.A. No.15 of 2026 praying for grant of bail. The learned Court below vide its order dated 18.02.2026 rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of BNSS, 2023 praying for enlargement on bail.

3. 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.

4. The prosecution case as per the F.I.R. is that on 19.11.25 the informant Arupa Hati lodged a written report before the police station alleging therein that his sister Mita had married to the petitioner as per his caste and custom and his sister was blessed with two male child. It is alleged that the petitioner tortured his sister and used to assault since long, but his sister tolerated the torture for the sake of her sons. On 18.11.25 night he suspected that the petitioner committed murder of his sister Mita. He noticed that black ligature mark on the neck of his sister. It is alleged that on the same day morning at about 6.00 A.M Kalpa Bachha (Uncle of petitioner) informed him over phone that his sister is in serious condition and requested to come. Thereafter he along with other family members came to Pudherkhair and found the dead body of his sister. The petitioner disclosed that while she is going to toilet, she died. Hence, the FIR.

5. Learned counsel for the petitioner submits that essentially this case is arising out of a matrimonial dispute. The petitioner is the husband of the deceased and he has two minor children. The petitioner is in custody since 20.11.2025.

6. Learned counsel for the State opposed the prayer for bail.

7. Regard being had to the nature of allegation and judicial custody of the petitioner since 20.11.2025, I am inclined to enlarge the accused-Petitioner on bail.



8. Hence, the Petitioner is directed to be released on bail by the learned Court in seisin over the matter in the aforesaid case on such terms and conditions as it would deem just and proper, subject to the following additional conditions:

- (i) He shall not leave the jurisdiction of the trial Court till the disposal of the trial;
- (ii) He shall appear before the trial Court on each date on which the case is posted for trial;
- (iii) He shall not tamper with the evidence in any manner whatsoever;
- (iv) He shall not commit any offence while on bail, and
- (v) He shall be released on bail subject to verification of similar type of antecedents.

In the event, the petitioner is found wanting for violation of any of the bail conditions imposed by this Court or the trial Court even on a single occasion, the prosecution is at liberty to move appropriate application before the Court below for cancellation of the concession of bail granted by this Court. If such application is filed, the trial Court should decide the application on its own merit.

9. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Ashok

Signature Not Verified

Digitally Signed
Signed by: ASHOK KUMAR JAGADEB
MOHAPATRA
Reason: Authentication
Location: High Court of Orissa
Date: 04-May-2026 18:38:08

