



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 2540 of 2026

Tapan Bhoi @ Tapu

Petitioner

....

Mr. D.P. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Ray, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

08.05.2026

Order No.

- 02.** 1. At the outset, learned counsel for the Petitioner submits that in the meanwhile the case has been committed to the Court of Session. Memo indicating the S.T number is taken on record.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner is an accused in connection with S.T. Case No.75 of 2026 pending on the file of learned 3rd Addl. Sessions Judge, Cuttack, arising out of **Kandarpur P.S. Case No.141 of 2025** for commission of offence alleged under Sections 309(6) of BNS.
4. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.



5. Being aggrieved by the rejection of their application for bail U/s.483 of the BNSS by the learned 3rd Additional Sessions Judge, Cuttack by order dated 11.02.2026 in the aforementioned case, the present BLAPL has been filed.

6. The Petitioner was before this Court in BLAPL No.8194 of 2025 which was taken up along with bail application of the other co-accused in BLAPL No.8071 of 2025. By order dated 02.09.2025, this Court directed the Petitioner to be released subject to verification of criminal antecedent as it was stated that the Petitioner had no criminal antecedents.

7. Since it came to fore that the Petitioner has cited as accused in the following cases, the order could not be acted upon.

"A. Baliana P.S. Case No.229 of 2018, under Sections 457/380 of IPC.

B. Baliana P.S. Case No.285 of 2020, U/s-269/270 IPC Section 3 Epidemic disease Act, Section 52(a)(i) Orissa Excise Act.

C. Baliana P.S. Case No.254/2018, U/s-342/365/394/506/34 IPC.

D. Baliana P.S. Case No.465 of 2020, U/s-342/365/394/506/34 IPC.

E. Mancheswar P.S. Case No.14 of 2023, U/s-454/380/34 of IPC.

F. Mancheswar P.S. Case No.538 of 2023, U/s-341/506/34 of IPC."



8. It is submitted by the learned counsel for the Petitioner that the accusation is on account of the co-accused statement and no T.I. parade has been conducted. Hence, further continuance of the Petitioner in custody is not warranted.

Referring to the criminal antecedent, it is stated that because of such criminal antecedents, the Petitioner has been falsely implicated in the case at hand.

9. Learned counsel for the State opposes such prayer.

10. Taking into account that the F.I.R was lodged against unknown and considering the rival submission in the light of the material on record, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

11. Additionally, it is directed that the Petitioner shall appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till the conclusion of trial. Certification of such appearance shall be submitted to the Court in seisin.

12. It is further directed that Petitioner shall not in any way try to intimidate the Informant and his family.



13. In the event of violation, it shall be open for the learned Court in seisin to direct cancellation in accordance with law without any further reference to this Court.

14. 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

