



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3114 of 2026

Biswajit Behera @ Kanhu @ Anda ***Petitioner(s)***
Mr. Amitav Tripathy, Adv.

-Versus-

State of Odisha ***Opposite Party(s)***
Ms. Gayatri Patra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

04.05.2026

Order No.

01.

FIR No.	Dated	Police Station	Case No. and Courts' Name	Sections
50	22.02.2026	Nayagarh	G.R. Case No.179 of 2026 pending in the court of learned S.D.J.M., Nayagarh	Sections 303(2)/3256(g)/3(5) of the BNS, 2023

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the parties.
3. The Petitioner being in custody in Nayagarh P.S. Case No. 50 of 2026, corresponding to G.R. Case No.179 of 2026 pending in the court of learned S.D.J.M., Nayagarh,





registered for the alleged commission of offences under Sections 303(2)/3256(g)/3(5) of the BNS, 2023, has filed this petition for his release on bail.

4. The brief fact of the case is that on 19.02.2026 at about 06.00 P.M., when the wife of informant at her grocery shop of village Harijan Sahi, Sinduria, at that time, the present accused petitioner along with other accused came to the shop and asked for Bidi. But, the wife of informant denied the same as Bidi is not available in the shop. Both the accused persons committed theft of one chocolate box from the shop for which the wife of the informant abused them. On 21.02.2026 in between 01.00 A.M. to 02.50 A.M., the accused persons set fire on the shop. Seeing the fire, the local people informed the informant and on this incident, Rs.20,000/- to Rs.30,000/- were damaged at the shop. Hence, this case.
5. The learned counsel for the Petitioner submits that the Petitioner has been falsely implicated in the present case, and there is no credible or incriminating material on record that establishes his involvement in the alleged offences. The petitioner has been in judicial custody since 25.02.2026. In view of the foregoing, it is respectfully prayed that the petitioner be enlarged on bail, as his continued incarceration





is unwarranted and ~~disproportionate~~ in the absence of any substantial evidence against him.

6. Learned counsel for the State vehemently opposes the prayer for bail, emphasizing the seriousness of the allegations.
7. Without going into the merit of the case and based on the facts and circumstances of the case, it is directed that the Petitioner be released on bail in the aforesaid case with some stringent terms and conditions as deemed just and proper by the learned court in *seisin* over the matter with further conditions that:-
 - i. The Petitioner shall appear before the local Police Station on every alternate Sunday between 10.00 A.M. to 12.00 P.M. till conclusion of the trial.;
 - ii. The Petitioner shall appear before the learned court in *seisin* over the matter on each date of posting of the case;
 - iii. The Petitioner shall not indulge himself in any criminal offence while on bail.
 - iv. The Petitioner shall not tamper the evidence of the prosecution evidence in any manner.
8. Violation of any of the above conditions shall entail cancellation of the bail.
9. The BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge