



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3629 of 2026

Abani Harijan

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

Mr. T.K. Mishra,
Advocate

-versus-

State of Odisha

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

Ms. P.S. Nayak, AGA

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order

No.

01.

ORDER

05.05.2026

1. The petitioner is an accused in connection with Maidapur P.S. Case No. 24 of 2026 corresponding to G.R. Case No. 307 of 2026 registered on the allegation of the alleged commission of offence punishable under Sections 331(3)/305(a)/3(5) of BNS, pending in the court of the learned SDJM, Nabarangpur.

2. The petitioner had approached the learned Addl. District and Sessions Judge, Nabarangpur in B.A. No.27 of 2026 praying for grant of bail. The learned Court below vide its order dated 26.03.2026 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 11.03.2026 the informant lodged a written report before the police alleging therein that on 24.02.2026 while he was in the school at about 2.00 P.M. he found that someone had broken the lock of his rented house and stolen a Samsung tablet and Rs.1000/- which was kept in his money purse.

5. Learned counsel for the petitioner submits that the co-accused person namely Mohan Harijan has already been admitted to bail and the allegation against the petitioner is similar to that of the co-accused. The petitioner is in custody since 12.03.2026.

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

7. Regard being had to the nature of allegation and the period of judicial custody of the petitioner since 12.03.2026, 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