



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3220 of 2026

Samson Mohapatra ***Petitioner(s)***

Mr. Deepak Ranjan Parida, Advocate

-versus-

State of Odisha ***Opposite Party(s)***

Mr. Partha Sarathi Nayak, AGA
Mr. Arjuna Ch. Behera, Advocate
(for informant)

CORAM: JUSTICE SIBO SANKAR MISHRA

Order
No.

ORDER
07.05.2026

01.

1. Heard.

2. The petitioner is an accused in connection with Soro P.S. Case No.180 of 2026 corresponding to C.T. Case No.287 of 2026 registered on the allegation of the commission of the offences under Sections 126(2)/281/109(1)/3(5) of B.N.S., 2023 and Section 27 of the Arms Act pending in the Court of the learned J.M.F.C., Soro.

3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court



below vide its order dated 11.03.2026 has rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.

4. 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.

5. The allegation against the petitioner, as reflected in the F.I.R., is that the informant, being the Samiti Sabhya of Khaira Panchayat Samiti, stated that prior to the present incident, a vehicle bearing Registration No. OD-01-BC-3301 had been following him and that he had also received threats to his life over telephone calls, regarding which he had informed the nearest police station on two occasions. It is further alleged that on 21.02.2026, while the informant was proceeding towards Bhadrak via Soro, the aforesaid vehicle dashed against his vehicle from behind. It is alleged that the occupants of the said vehicle, while



brandishing a pistol, forced him to stop his vehicle. However, when the informant got down from his vehicle, the accused persons fled away from the spot. Hence, the F.I.R.

6. After investigation, charge-sheet has been filed on 19.04.2026. Perusal of the charge-sheet indicates that the graver offence under Section 109(1) of B.N.S., 2023 has already been dropped and the charge-sheet has been filed only under Section 281/126(2) of B.N.S. and Section 27 of the Arms Act. On the basis of same, Mr. Parida, learned counsel for the petitioner submits that since the graver offence has already been dropped, the petitioner is entitled to be enlarged on bail. The petitioner is in custody since 21.02.2026.

7. Mr. Nayak, learned Additional Government Advocate for the State on the other hand submits that the petitioner has ten criminal antecedents including cases involving the offences under Sections 302/307 of I.P.C. Hence, he opposes the prayer for bail.

8. Mr. Parida, learned counsel for the petitioner further submits that in all the cases, the petitioner has



already been admitted to bail and in one case he has been acquitted.

9. Regard being had to the period of custody from 21.02.2026, the nature of accusation and the fact that the graver offence has been dropped, I am inclined to admit the petitioner on bail.

Hence, the petitioner is directed to be released on bail by the 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) The petitioner shall report before the concerned Police Station being physically present between 10 am to 1 pm twice a month on first and last Sunday of every month for six months.
- (ii) He shall not leave the jurisdiction of the trial Court till disposal of the trial.
- (iii) He shall appear before the trial Court on each date on which the case is posted for trial.
- (iv) He shall not tamper with the evidence in any manner whatsoever.



Violation of any of the conditions shall entail consideration for cancellation of the bail granted to the petitioner. In the event, any of the bail conditions are violated by the petitioner, the prosecution is given liberty to move appropriate application before the Court below for recalling the concession of bail. If such application is moved, the trial Court should decide the application on its own merit.

10. The BLAPL is accordingly disposed of.

(S.S. Mishra)
Judge

Swarna

Signature Not Verified

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Signed by: SWARNAPRAVA DASH
Reason: Authentication
Location: High Court of Orissa
Date: 08-May-2026 16:58:08

