



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3453 of 2026

Harbindar Syce @

.....

Petitioner

Harbindar

Sk. Zafarulla,

Sahis @ Chikna

Advocate

-Versus-

State of Odisha & Anr.

....

Opposite Parties

Mr. Sonak Mishra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

05.05.2025

Order No.

01.

F.I.R No.	Dated	Police Station	Case No. and Courts' Name	Sections
32	30.01.2026	Orient	C.T Case No.101 of 2026 pending in the Court of learned JMFC-1, (Cog. Taking), Jharsuguda	U/S. 331(3)/305(a) of BNS, 2023

1. This matter is taken up through hybrid arrangement.
2. The petitioner being in custody in connection with Orient P.S. Case No.32 of 2026, corresponding to C.T Case No.101 of 2026, pending in the Court of learned JMFC-1, (Cog. Taking), Jharsuguda registered for the alleged commission of offence under Section 331(3)/305(a) of BNS, 2023, has filed this petition for his release on bail.

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Date: 08-May-2026 12:45:14





3. The brief fact of the case is that the informant lodged a written report on 30-01-2026 before the IIC, Orient PS with an allegation regarding theft of household articles by unknown accused person. On the basis of his report, Orient PS Case No. 32 of 2026 has been registered for commission of offence under Section 331(3)/305(a) of BNS, 2023 against unknown accused persons.

4. Learned counsel for the Petitioner submits that this Petitioner being arrested in the case is in custody since 19.03.2026. Nothing has been seized from the possession of the petitioner which will implicate him in this alleged crime. In the meantime, charge sheet has already been submitted. In view of all these above, when the Petitioner is a permanent resident of District Jharsugudaas also the question of tampering with the evidence does not arise, he urges for consideration of prayer for grant of bail to the Petitioner

5. Learned counsel for the State vehemently opposes the prayer for bail on the ground that the materials on record attracts the ingredients of alleged commission of offence by the accused. The petitioner has sufficient criminal antecedent and involved in four numbers of criminal cases involving similar nature of offences and a habitual offender.

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6. Considering the facts and keeping in view the submission of learned counsel for the Petitioner; further keeping in view the materials on record as those stand against the Petitioner with other surrounding circumstances, this Court is of the view that there is no requirement of keeping the Petitioner inside the custody any further. Accordingly, this Court directs that the Petitioner be released on bail by the Court *in seisin* over the matter on some stringent terms and conditions with further conditions that:

- i. the petitioner shall appear before the local Police Station on 1st Monday of every month between 10 A.M. to 1.00 P.M. till the conclusion of the trial;
- ii. the Petitioner shall not indulge himself in any criminal activities in future;
- iii. the Petitioner shall not tamper the evidence of the prosecution evidence in any manner;

Violation of any of the above conditions shall entail cancellation of the bail.

7. The BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali

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