



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 3885 of 2026

**1. Balaram @ Santosh
Samal**
**2. Soumyaranja @
Dhanda Samal**

Petitioners

....

Mr. S.K. Pattanaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.R. Mohanty, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

08.05.2026

Order No.

- 02.** 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are accused in connection with G.R. Case No.520 of 2026 pending on the file of learned J.M.F.C.II, Cuttack arising out of **Tangi P.S. Case No.166 of 2026** for commission of offence alleged under Sections 303(2)/305(b)/3(5) of BNS, 2023.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioners relating to the aforementioned P.S. case is pending in any other Court.
4. Being aggrieved by the rejection of their application for bail U/s.483 of the BNSS by the



learned P.O. Special Court under S.C. & S.T. (PoA) Act, Cuttack by order dated 13.04.2026 in the aforementioned case, the present BLAPL has been filed.

5. The allegation against the Petitioners is of theft of wires from a Hyva vehicle.

6. It is submitted by the learned counsel that the Petitioners are in custody since 29.03.2026 and as investigation has progressed substantially, the Petitioners may be released on bail.

7. On going through the order of rejection dated 13.04.2026 passed by the learned P.O. Special Court under S.C. & S.T. (PoA) Act, Cuttack, since it was mentioned therein that the allegation in respect of very P.S. case is inter alia under Section 109(1) BNS, instruction was sought for from the learned counsel for the State regarding the veracity thereof, since the learned counsel for the Petitioners submitted that there is no allegation under Section 109(1) BNS.

8. The instruction submitted by the learned counsel for the State indicates that the mention of Section 109(1) BNS in the order of rejection is evidently an error of record.

9. Learned counsel for the State opposes the prayer for bail during the currency of investigation and also in view of the criminal antecedents of



Petitioner No.2 who is stated to be involved in two other cases.

10. It is submitted by the learned counsel for the Petitioners that in the meanwhile Petitioner No.2 has been released on bail in other case.

11. Considering the nature of allegations, progress in investigation and the period in custody, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned Court in seisin.

12. Accordingly, the BLAPL stands disposed of. U.C.C as per rules.

(V. NARASINGH)
Judge

Ayesha

Signature Not Verified

Digitally Signed
Signed by: AYESHA ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 09-May-2026 15:00:42

