



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.4153 of 2026

Durga Prasad Benia and another ... Petitioners

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

... Opposite Party

Mr. S.C. Pradhan, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):08.05.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is a bail application U/S.483 of BNSS by the petitioners for grant of bail in connection with Gurandi PS Case No.138 of 2025 corresponding to GR Case No.753 of 2025 pending in the file of learned SDJM, Paralakhemundi, for commission of offences punishable U/Ss.331(4)/305(a)/3(5) of BNS, on the main allegation of committing theft by trespassing into the shop of the informant and taking away cash of Rs.90,000/- to Rs.1,00,000/-; 2 tolas of gold ornaments; 3 tolas of silver cup and 1 copper vessel.
3. Heard, Mr. Jyotirmaya Sahoo, learned counsel for the petitioners and Mr. S.C. Pradhan, learned Additional Public Prosecutor in the matter and perused the record.
4. After having considered the rival submissions and taking into consideration the nature and gravity of the offence as alleged against the petitioners vis-a-vis the accusations sought to be brought against them and



regard being had to the pre-trial detention of the petitioners in custody since 11.02.2026 with substantial progress in investigation and the FIR being lodged against unknown persons, but the offences alleged against the petitioner being triable by Magistrate and taking into account the other circumstances on record in entirety including the inherent right of the accused to be presumed innocent until proven guilty at the trial and taking into account the law laid down by the Apex Court in ***Satender Kumar Antil Vrs. Central Bureau of Investigation; (2022) 10 SCC 51***, this Court without expressing any view on merits admits each of the petitioners to bail.

5. Hence, the bail application of the petitioners stands allowed and the petitioners are allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.

6. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA DAS
Reason: Authentication
Location: High Court of Orissa
Date: 09-May-2026 11:10:55



(G. Satapathy)
Judge