



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL Nos.4057 & 4205 of 2026

(In the matter of applications U/S.483 of Bharatiya
Nagarik Suraksha Sanhita Act, 2023).

Sk. Alimuddin @ Guro and another
(In BLAPL No.4057 of 2026)

Manoj Mallik

(In BLAPL No.4205 of 2026) ...

Petitioners

Mr. R.N. Rout, Advocate

(in BLAPL No.4057 of 2026)

*Mr. D.K. Sahoo, proxy counsel on
behalf of Mr. A.K. Jena, Advocate*

(in BLAPL No.4205 of 2026)

-versus-

State of Orissa

... Opposite Party

Mr. S.C. Pradhan, Addl. PP

CORAM: JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT:07.05.2026(ORAL)

G. Satapathy, J.

1. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.

2. These are the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Dharmasala PS Case No.417 of 2025 arising out of CT Case No.1321 of 2025 pending in the Court of



learned JMFC, Chandikhole, for commission of offences punishable U/Ss.331(4)/305(a)/317(2)/3(5) of BNS.

3. Facts in precise is that some unknown persons committed theft in the house of the informant and taken away cash of Rs.70,000/- and valuables, but subsequently finding the involvement of the petitioners, they were taken into custody in this case.

4. In the course of hearing, Mr. Rajendra Narayan Rout, learned counsel appearing virtually for the petitioners in BLAPL No.4057 of 2026 on being invited his attention to the criminal antecedents of the petitioners, submits that the petitioner No.1 is having 10 criminal antecedents and the petitioner No.2 is having 9 criminal antecedents, but the antecedents which has been shown against the petitioners for more than that is erroneous, however, he further submits that the petitioners are in custody since last four months and, therefore, the petitioners may kindly be granted bail.

4.1. On the other hand, Mr. Deepak Kumar Sahoo, learned proxy counsel appearing on behalf of



Mr. Asit Kumar Jena, learned counsel for the petitioner in BLAPL No.4205 of 2026 without disputing the criminal antecedent shown against the petitioner in 29 cases, submits that the petitioner has been implicated in this case on the basis of some irrelevant materials and, therefore, the petitioner may kindly be granted bail.

4.2. Mr. S.C. Pradhan, learned Additional Public Prosecutor, however, strongly opposes the bail applications of the petitioners by highlighting the criminal antecedents of the petitioners.

5. After having considered the rival submissions upon perusal of record, it appears that some unknown persons committed theft in the house of the informant, but subsequently the petitioners have been taken into custody in this case. On a careful perusal of the bail applications of the petitioners, it is noticed that the petitioners have not disclosed the details of their criminal antecedent, but even considering the submissions as advanced by Mr. Rout to be correct, the petitioners would have given the



details of their 10 and 9 criminal antecedents which they have described in their bail application, but the same having been not done so, it is considered to be a material suppression. Besides, in ***Kaushal Singh Vrs. State of Rajasthan; 2025 INSC 871***, the Apex Court in paragraphs-22 and 23 has *inter-alia* held as under:-

"22. *Before parting, we would like to state that, accounting for the criminal antecedents of the accused while considering the bail applications has been the subject matter of concern for Courts across the country. The rules and orders of the Punjab and Haryana High Court, to be specific, Rule 5 of Chapter 1-A(b) Volume-V specifically provide as below:*

"5. Bail applications. - *In every application for bail presented to the High Court the petitioner shall state whether similar application has or has not been made to the Supreme Court, and if made shall state the result thereof. The petitioner/applicant shall also mention whether he/she is/was involved in any other criminal case or not. If yes, particulars and decisions thereof. An application which does not contain this information shall be placed before the bench with the necessary information."*

23. *We feel that every High Court in the country should consider incorporating a similar provision in the respective High Court Rules and/or Criminal Side Rules as it would impose an obligation on the accused to make disclosures regarding his/her involvement in any other criminal case(s) previously registered."*



6. Further, in ***Zeba Khan Vrs. State of UP and others; 2026 SCC OnLine 188***, the Apex Court at paragraphs-43, 47 & 48 has been pleased to hold as under:-

"43. In the present case, Respondent No. 2 deliberately concealed his criminal antecedents before the High Court, both in the petition for quashing FIR as well as in successive bail applications. Even before this Court, only partial disclosure was made in the counter-affidavit, despite the existence of multiple criminal cases on record. This conduct cannot be viewed as an isolated lapse but reflects a growing and disturbing trend of accused persons securing discretionary relief by suppressing material facts.

47. As repeatedly observed by this Court, bail applications are examined at multiple stages - from the trial Court to the High Court and ultimately this Court - where courts are often constrained to take a prima facie view on incomplete or selectively presented records. Non-disclosure of material aspects such as criminal antecedents, prior bail rejections, duration of custody, compliance with constitutional and statutory safeguards, and the progress of trial may result in the unwarranted grant of bail, or conversely, the prolonged incarceration of accused persons despite substantial custody having already been undergone.

48. Thus, this Court is of the view that every petitioner or applicant seeking bail, at any stage of proceedings, is under an obligation to disclose all material particulars, including criminal antecedents and the existence of any coercive processes



such as issuance of non-bailable warrants, declaration as a proclaimed offender, or similar proceedings, duly supported by an affidavit, so as to promote uniformity, transparency and integrity in bail adjudication."

7. In view of the aforesaid facts and taking into account the nature and gravity of the offences alleged against the petitioners, but the petitioners having not disclosed the details of their criminal antecedents before the Court, this Court does not consider it proper to grant bail to any of the petitioners at this stage.

8. Hence, these two bail applications of the petitioners namely Sk. Alimuddin @ Guro and Sk. Wahid @ SK Aman @ Wahid (In BLAPL No.4057 of 2026) and Manoj Mallik (In BLAPL No.4205 of 2026) stand rejected. Accordingly, these BLAPLs stand disposed of.

(G. Satapathy)
Judge

*Orissa High Court, Cuttack,
Dated the 7th day of May, 2026/Subhasmita*