



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO. 5075 of 2026

CNR No. ODHC010372122026

(In the matter of application under Section 483 of BNSS, 2023).

Karunakar Kabi

...

Petitioner

-versus-

State of Orissa

...

Opposite Party

For Petitioner

: Ms. K. Panigrahi, Advocate

For Opposite Party

: Mr. C. Mahanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT:11.08.2026(ORAL)

G. Satapathy, J.

1. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Baliapal PS Case No.88 of 2026 corresponding to CT Case No.246 of 2026 pending in the file of learned JMFC, Basta for commission of offences punishable U/Ss.85/ 115(2)/ 331(7)/109(1)/124(2)/351(3)/33(5) of BNS r/w Section 4 DP Act.

2. Heard, Ms. Khusbu Panigrahi, learned counsel for the Petitioner appearing virtually and Mr. C. Mahanty, learned Addl. PP in the matter and perused the record.



3. Admittedly, the Petitioner has taken the plea of non-compliance of Sec. 47 of BNSS r/w Article 22(1) of the Constitution of India and in response to such plea, this Court has sought for the response by way of an affidavit of the Arresting Officer who in his affidavit has not only stated about compliance of Sec. 47 of BNSS, but also has produced the document by which such compliance has been carried out. This Court on scrutiny of such document which has been enclosed vide Annexure-A to the affidavit found that the intimation to the accused on his grounds of arrest has been prepared in Odia and the same has been duly acknowledged to have been received by the Petitioner by appending his signature therein and the same is also signed by two witnesses namely Jhadeswar Das and Patipriya Samantaray and the petitioner acknowledged therein to have understood his grounds of arrest. Besides, the arrest memo has also been produced before this Court which reveal all the necessary details of arrest, such as date and time of arrest, the offences and the arrest memo is also signed by the Petitioner and witnesses Jogamaya Samantaray and counter signed by the Arresting Officer.



Further, the first date order sheet produced by the Petitioner in the form of a typed copy reveals that the at time of forwarding, the Petitioner has not complained of any ill-treatment nor has he raised any objection with regard to non-furnishing of grounds of arrest, even though he was represented by an Advocate Shri Harishankar Jena and his associates. In the aforesaid facts and circumstance, this Court hardly finds any non-compliance of Sec. 47 of BNSS so as to grant bail to the Petitioner. Consequently, no other ground being raised, the bail application of the Petitioner merits no consideration.

4. In the result, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of. A soft copy of this order be immediately transmitted to the learned trial Court.

(G. Satapathy)
Judge

*Orissa High Court, Cuttack,
Dated the 11th August, 2026/Priyajit*