



IN THE HIGH COURT OF ORISSA AT CUTTACK

Niyaz Khan ... **Petitioners**
(In BLAPL No. 7326 of 2025)
Mirja Jahed Baig
(In BLAPL No. 7432 of 2025)
Mirza Hakim Baig
(In BLAPL No. 7749 of 2025)

Mr. G.B. Singh, Advocate
(In BLAPL Nos. 7326 & 7432 of 2025)
Mr. S.C. Mohapatra, Sr. Advocate
along with Mr. P. Mohapatra, Advocate
(In BLAPL No. 7749 of 2025)

-versus-

State of Odisha ... **Opposite Party**
Mr. C. Mohanty, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
12.08.2025

Order No.
02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these three 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.
3. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Nemalo P.S. Case No.131 of 2025 corresponding to G.R. Case No.233 of 2025 pending in the file of learned J.M.F.C., Nischintakoili, for commission of offences punishable U/Ss.288/106(1) of BNS r/w. Section 3/4/5 of Explosive Substances Act, on the



allegation of possessing explosive and assisting the co-accused to possess the explosive substance which facilitated in preparation of bombs by the deceased, who died in the course of treatment for sustaining injury in the explosion while preparing bombs.

4. Heard, Mr. Gagan Bihari Singh, learned counsel for the petitioners in BLAPL Nos. 7326 & 7432 of 2025, Mr. Soura Chandra Mohapatra, learned Senior counsel, who is being assisted by Mr. S. Mohapatra, learned counsel for the petitioner in BLAPL No. 7749 of 2025 and Mr. C. Mohanty, learned Addl. PP in these matters and perused the record.

5. Despite availing opportunity, the learned State counsel has failed to produce any criminal antecedents against the petitioners, but the petitioners are in custody since 03.06.2025. However, the name of the petitioners does not figure out in the FIR. Besides, co-accused Sk Tayub Ali has already been granted the benefit of pre-arrest bail in ABLAPL No. 7366 of 2025 by a Co-ordinate Bench of this Court, whereas co-accused Suraj Khan has been admitted to regular bail in BLAPL No. 7352 of 2025.

6. In such view of the matter and after having considered the rival submission and taking into consideration the nature and gravity of the offences as alleged against the petitioners vis-à-vis the accusations sought to be brought against them and regard being had to the pre-trial detention of the



petitioners in custody and taking into account the other circumstances on record in entirety and keeping in view the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing any view on merits, admits each of the petitioners to bail.

7. Hence, these three bail applications of the petitioners namely Niyaz Khan (BLAPL No. 7326 of 2025), Mirja Jahed Baig (BLAPL No. 7432 of 2025) and Mirza Hakim Baig (BLAPL No. 7749 of 2025) stand allowed and each of the petitioners is 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 deems fit and proper by it with following condition:-

(i) the petitioners shall appear before the IO as and when required till submission of charge sheet.

8. Accordingly, these BLAPLs stand disposed of.

9. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

S.Sasmal

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA SASMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 13-Aug-2025 11:38:06

