



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 739 of 2026
CNR No. ODHC010579372026

Suresh Ghadei and others ... ***Petitioners***
Mr. P.R. Singh, Advocate

-versus-

State of Odisha and another ... ***Opposite Parties***
Mr. T.K. Acharya, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)

09.09.2026

Order No.

02.

1. Mr. Priya Ranjan Singh, learned counsel for the Appellants by filing a memo prays to not press the criminal appeal of the Appellant Suresh Ghadei and accordingly, the present criminal appeal stands disposed of qua the Appellant Suresh Ghadei as not pressed and the present criminal appeal is only confined to the Appellant namely Rakesh Ghadei.

2. This criminal appeal filed by the Appellant Rakesh Ghadei in the nature of bail U/S.14-A of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 together with amendment Act, 2016 (in short, "the Act") is directed against the impugned order dated 23.07.2026 passed in CT Special Case No.45 of 2026 by which the learned Judge, Special Court, Dhenkanal has refused to grant bail to the appellant in connection with Nihalprasad PS Case No.125 of 2026 for commission of offence punishable U/Ss.296/115(2)/118(1)/109(1)/351(2)/3(5) of BNS



read with Section 3 (1)(r)(s)/3(2)(v) of the Act, on the main allegation of attempting to the life of the injured Kunia Samal by assaulting him with Lathi and Knife, along with co-accused persons causing stab injury to the injured.

3. Heard, Mr. Priya Ranjan Singh, learned counsel for the appellant and Mr. T.K. Acharya, learned Additional Public Prosecutor in the matter and perused the record. None appears for victim despite being duly intimated as apprised by learned Addl. PP.

4. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the appellant vis-à-vis the accusation sought to be brought against him and regard being had to the pre trial detention of the appellant in custody since 14.06.2026 with submission of charge sheet in the meantime and the main allegation of stabbing the injured Kunia Samal being directed against co-accused Suresh Ghadei whose appeal has already been not pressed and keeping in view the other circumstances on record in entirety including inherent right of the accused-appellant to be presumed innocent until proven guilty at the trial and trial being not likely to commence in near future and lastly, no materials being placed on record to suggest that the appellant would either abscond or pose threat to the witnesses, if released on bail, this Court without expressing any view on merit admits the appellant to bail.



5. Hence, the CRLA stands allowed and the impugned order is, hereby set aside. Consequently, the appellant is directed to be released on bail on such terms and conditions **except cash surety** as deem fit and proper by the learned Court in seisin over the matter.

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

(G. Satapathy)
Judge

Priyajit

Signature Not Verified

Digitally Signed
Signed by: PRIYAJIT SAHOO
Designation: Sr. Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 09-Sep-2026 19:41:39

