



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12218 of 2025

Batakrushna Swain @ Lidun Swain @ ... ***Petitioner***
Lidhun

Mr. B.R. Mohanty, Advocate

-versus-

State of Odisha ***... Opposite Party***

Mr. A. Pradhan, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
17.12.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application U/S.483 of BNSS by the petitioner for grant of bail in connection with CT Case No. 429 of 2025 arising out of Khuntuni PS Case No. 132 of 2025 pending in the file of learned SDJM, Athagarh for commission of offences punishable U/Ss. 296/115(2)/301 r/w Section 3(5) of the BNS, on the main allegation of assaulting the deceased Kanhu Rout by giving fist and kick blows, along with co-accused persons and also throwing him in front of the Pick-up Van which ran over him, on account of an accident occurring between two Motorcycles for rash and negligent driving of the deceased.
3. Heard, Mr. Bibhuti Ranjan Mohanty, learned counsel for the petitioner and Mr. A. Pradhan, learned Addl. 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 petitioner vis-a-vis the accusations sought to be brought against him and regard being had to the pre-trial detention of the petitioner in custody since 16.07.2025 with submission of charge sheet in the meantime and taking into account the circumstances under which the deceased died and keeping in view the inherent right of the accused to be presumed innocent until proven guilty at the trial and taking note of the incident occurring in an emotional anger for an accident and there being omnibus allegation against the accused persons including the petitioner and taking into account grant of bail to co-accused Ashok Kumar Behera, Krushna Chandra Sethy, Suprava Sethy, Biswajit Behera @ Babula and Pramod Swain in BLAPL Nos. 10242, 10133, 11647 and 11860 of 2025, this Court without expressing any view on merits admits the Petitioner to bail.

5. Hence, the bail application of the Petitioner stands allowed and the Petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) only 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 with following condition:-

(i) the petitioner shall not threaten the informant or his family members or influence/coerce any of the witnesses



acquainted with the facts of the case so as to dissuade them from disclosing such facts before the Court.

6. Accordingly, the BLAPL stands disposed of.
Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Priyajit