



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12311 of 2025

Janmejaya Nayak

..... *Petitioner(s)*
Mr. Susanta Sekhar, Adv.

-versus-

State of Odisha

..... *Opposite Party*
Ms. Sarita Moharana, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

17.12.2025

Order No.

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F.I.R. No.	Dated	Police Station	Case No. and Courts' Name	Sections
117	07.04.2025	Banpur	G.R. Case No.167 of 2025 pending in the court of learned J.M.F.C., Banpur	Sec 303(2) of BNS, 2023

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Parties.



3. The Petitioner being in custody in Banpur P.S. Case No. 117 of 2025 corresponding to G.R. Case No.167 of 2025 pending in the court of learned J.M.F.C., Banpur, registered for the alleged commission of offences under Sections 303(2) of BNS, 202, has filed this petition for his release on bail.
4. The brief fact of the case is that on three different dates from 16.03.2025 to 21.03.2025, several nos. of Azna were stolen from the Banapur sites in Champadeipur, Bheteswar and Dasarathipur area by some unknown culprits. Due to the theft, the company faced financial loss of approximately Rs.4,90,000/-. Soon after the occurrence, the informant reported the matter to the concerned technician after a theft alarm was detected, but the concerned technician did not report the matter at Banapur PS. Based on the written report of the informant, Banapur PS Case No. 117 of 2025 under Section 303(2) BNS was registered. Hence, this case.
5. The learned counsel for the Petitioner submits that the Petitioner has been falsely implicated in the present case, and there is no credible or incriminating material on record that establishes his involvement in the alleged offences. The petitioner has been in judicial custody since 12.08.2025. In view of the foregoing, it is respectfully prayed that the



petitioner be enlarged on bail, as his continued incarceration is unwarranted and disproportionate in the absence of any substantial evidence against him.

6. Learned counsel for the State vehemently opposes the prayer for bail, emphasizing the seriousness of the allegations.
7. Without delving into the merits of the case, and considering the overall facts and circumstances, it is directed that the petitioner be released on bail in the aforesaid case, subject to stringent terms and conditions as may be deemed just and proper by the learned court seized of the matter, along with the following additional conditions:-
 - i. the Petitioner shall appear before the local Police Station on every Monday between 10 A.M. to 1.00 P.M.;
 - ii. the petitioner shall not indulge himself in any criminal offence while on bail; and
 - iii. the petitioner shall not tamper the evidence of the prosecution evidence in any manner.
 - iv. The Petitioner shall plant 100 saplings of local varieties, such as mango, neem, tamarind, etc., around his village on Government land, community land, or private land in the possession of the petitioner or his



family members. In the event that suitable land is unavailable, the Revenue Authority shall assist in identifying land for the plantation.

Violation of any of the above conditions shall entail cancellation of the bail.

8. The I.I.C. of the concerned police station, in coordination with the local Forest Officer, shall monitor whether the Petitioner has planted the saplings as required.
9. It is further directed that the Petitioner shall file an affidavit before the local police station, confirming that the saplings have been planted and that the petitioner will maintain those plants for a period of two years.
10. The District Nursery/District Forest Officer (D.F.O.) shall extend assistance to the petitioner by supplying the necessary saplings.
11. The BLAPL is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge