



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.12455 of 2025

Saroj Kumar Nayak

.....

Petitioner

Represented by Adv. –
Mr. Amitav Tripathy

-versus-

State of Odisha

.....

Opposite Party

Represented by Adv. –
Mr. C.M. Singh, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
17.12.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party No.1. Perused the bail application as well as the documents annexed thereto.
3. The present bail application under Section 483 of B.N.S.S., 2023 has been filed by the Petitioner for regular bail in connection with Bellaguntha P.S Case No.114 of 2025, which corresponds to G.R. Case No.358 of 2025, pending in the file of learned S.D.J.M., Bhanjanagar, registered for alleged commission of offence punishable under Sections 318(4)/338/336(3)/340(2) of the B.N.S., 2023.



4. Learned counsel for the Petitioner submits that earlier this matter was not before any of the bench of this Court. It is further submitted by the learned counsel for the Petitioner that the Petitioner is languishing in jail custody since 05.07.2025 and that in the meantime, investigation has been concluded and final charge sheet has been filed. He further contended that the Petitioner is working as a Constable in Odisha Police and as per the F.I.R. allegation, he had taken a sum of Rs.11,00,000/- from the Informant on the assurance that he will provide a job to the Informant. Learned counsel for the Petitioner, at this juncture, contended that money has been taken for different purpose and that the Petitioner has already returned a part of it. He further submitted that the Petitioner is ready and willing to return the money provided that he gets an opportunity to arrange the same. He further submitted that since the investigation has been concluded, the custodial interrogation of the Petitioner is not required in the present case, and further considering the fact that the Petitioner is working as a constable in the police force, there is no chance of absconding. As such, it was prayed that the Petitioner be released on bail on any stringent terms and conditions which the Petitioner shall abide by while on bail.

5. Learned counsel for the State, on the other hand, objected to the release of the Petitioner on bail on the ground of seriousness and gravity of the allegation. He further contended that the Petitioner being a part of police force has cheated innocent people to the tune of Rs.11,00,000/-. Therefore, no leniency should be shown to the Petitioner. On such ground,



learned counsel for the State prayed that the prayer for bail of the Petitioner be rejected at this juncture.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the surrounding facts and circumstances of the present case, further taking into consideration the fact that the investigation has been concluded and charge sheet has been filed and keeping in view the assurance of the learned counsel for the Petitioner that the Petitioner is ready and willing to return the rest of the money to the Informant if he is granted an opportunity, this Court is inclined to release the Petitioner on interim bail.

7. Hence, it is directed that the Petitioner be released on interim bail for a period of four weeks starting from the date of his release from judicial custody in the aforesaid case on furnishing bail bond of Rs.30,000/-(Rupees thirty thousand) with two local solvent sureties each for the like amount to the satisfaction of the court in seisin over the matter. The release of the Petitioner shall also be subject to the condition that he shall arrange the money and return the same to the Informant, as has been assured by the learned counsel for the Petitioner.

8. On expiry of the interim bail period, the Petitioner shall surrender immediately before the court below.

9. Surrender certificate of the Petitioner be produced before this Court by the next date.

10. On the oral prayer of the learned counsel for the Petitioner, he is permitted to add the Informant as Opposite



Party No.2 in this bail application.

11. Let a corrected copy of the cause title of the bail application be filed within three working days hence.

12. Issue notice to the newly added Opposite Party No.2 by Speed Post with A.D. by fixing a short returnable date. Requisites for issuance of notice be filed within three working days hence.

13. List this case in the week commencing 27th January, 2026.

(A.K. Mohapatra)
Judge

Debasis