



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12510 of 2025

***Dibya Swarup Sahoo @
Kumar*** ***Petitioner(s)***

Mr. S. Dash, Advocate

-versus-

State of Odisha ***Opposite Party(s)***

Mr. Sarat Chandra Pradhan, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

17.12.2025

Order No.

01.

1. Heard.

2. The petitioner is an accused in connection with Jaleswar P.S. Case No.354 of 2025 corresponding to C.T. Case No.399 of 2025 registered on the allegation of the commission of the offence under Sections 309(2)/318(2) of B.N.S., 2023 pending in the Court of the learned J.M.F.C., Jaleswar.

3. The petitioner had approached the learned Court below praying for grant of bail. The learned Court below vide its order dated 17.11.2025 has rejected the bail application of the petitioner. Being aggrieved, the petitioner has filed the present petition under Section 483 of B.N.S.S., 2023 praying for enlargement on bail.



4. Learned counsel for the petitioner, on instruction from the petitioner, submits that, except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.

5. The prosecution case, in brief, is that on 28.07.2025, the informant lodged a written report before the Inspector-in-Charge, Jaleswar Police Station, *inter alia* alleging therein that he is employed in a bamboo handicraft company having business operations in the Jaleswar and Balasore areas. During his visit to Jaleswar in connection with company business, he came in contact with the accused Narayan Jena and gradually developed acquaintance with him. About two months prior to the lodging of the F.I.R., the said accused informed the informant that he possessed certain golden *diyas* and requested him to facilitate their sale. It is further alleged that on 27.07.2025, the informant withdrew a sum of Rs.75,000/- from an ATM for the purpose of purchasing company materials and kept the said amount with him. At about 8.00 P.M. on the same day, the accused Narayan Jena called the informant to village Sarsida and requested him to purchase the said golden *diyas*. When the informant expressed his inability to purchase the same, both of them proceeded towards a



nearby village. On the way, four unknown persons arrived on two motorcycles, assaulted the informant, and forcibly snatched away the cash amount of Rs.75,000/- from his possession. On these allegations, the informant suspected that the accused Narayan Jena had hatched a conspiracy with other accused persons and, in furtherance thereof, the said amount was forcibly taken away from him. Hence, the F.I.R. was lodged.

6. Learned counsel for the petitioner submits that earlier the co-accused Narayan Jena has approached this Court by filing BLAPL No.10982 of 2025. The coordinate Bench of this Court vide order dated 18.11.2025 enlarged him bail. The petitioner is in custody since 08.11.2025. Therefore, he seeks parity.

7. Reading of the F.I.R., it reveals that it is Narayan Jena, who is the principal accused and on his confession, the present petitioner has been roped into the present case.

8. Regard being had to the period of custody from 08.11.2025, and the fact that co-accused has already been enlarged on bail, I am inclined to admit the petitioner on bail.

Hence, the petitioner is directed to be released on bail by the Court in seisin over the matter in the aforesaid case on such



terms and conditions as it would deem just and proper, subject to the following additional conditions:-

- (i) The petitioner shall report before the concerned Police Station being physically present on last Sunday every month for two months.
- (ii) He shall not leave the jurisdiction of the trial Court till disposal of the trial.
- (iii) He shall appear before the trial Court on each date on which the case is posted for trial.
- (iv) He shall not tamper with the evidence in any manner whatsoever.

Violation of any of the conditions shall entail consideration for cancellation of the bail granted to the petitioner. In the event, any of the bail conditions are violated by the petitioner, the prosecution is given liberty to move appropriate application before the Court below for recalling the concession of bail. If such application is moved, the trial Court should decide the application on its own merit.

9. The BLAPL is accordingly disposed of.

Signature Not Verified

Digitally Signed
Signed by: SWARNAPRAVA DASH
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 18-Dec-2025 19:25:16
Swarna



(S.S. Mishra)
Judge