



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12868 of 2025

Dunga @ Manmath Mallik

..... *Petitioner(s)*

Mr. Arijeet Mishra, Adv.

-Versus-

State of Odisha

..... *Opposite Party(s)*

Smt. Sarita Moharana, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

18.12.2025

Order No.

01.

FIR No.	Dated	Police Station	Case No. and Courts' Name	Sections
0372	23.10.2025	Rajnagar	Rajnagar P.S. Case No.372 of 2025 corresponding to G.R. Case No.479 of 2025 pending in the file of learned NGN-cum-J.M.F.C., Rajnagar, District-Kendrapara	Sections 189(2)/191(2)/191(3)/126(2)/296/115(2)/109(1)/303(2)/351(2)/190 of B.N.S., 2023 read with Section 25(1)(b)/27 of Arms Act



1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the Parties.
3. The petitioner, currently in judicial custody in connection with Rajnagar P.S. Case No.372 of 2025 corresponding to G.R. Case No.479 of 2025 pending in the file of learned NGN-cum-J.M.F.C., Rajnagar, District-Kendrapara, registered for the alleged commission of offences under Sections 189(2)/191(2)/191(3)/126(2)/296/115(2)/109(1)/303(2)/351(2)/190 of B.N.S., 2023 read with Section 25(l)(b)/27 of Arms Act, has filed the present application seeking release on bail.
4. The prosecution case in brief is that on 23.10.2025 at about 8 P.M., the informant and his friend Bubuna had been to Rajnagar market. At that time, the present accused-petitioner along with other accused persons obstructed them on a chhowk and told the informant that "Maghia Ame D.D. Gang Pila, Amaku Kana Tu Daru Nanhu". Then the accused persons abused the informant in obscene languages and dealt slap, fist and kick blows. When the informant protested, the accused persons namely Surya Malik and Bibhuti Malik put sword and gun on his head. Then they tied a napkin one the neck of the informant and dragged him to the Hansua bridge and assaulted him. Then the accused Surya Malik tried to assault on the head of the



informant by means of a sword. Thereafter, out of fear, the informant ran away from the spot. Then the accused persons also assaulted the informant and took away his mobile phone and threatened him with the dire consequences. Thereafter, the informant had lodged the report before the Rajnagar Police Station.

5. Learned counsel for the Petitioner submits that though the Petitioner was present at the spot, but not actively participated in the crime. No incriminating material has been seized from the Petitioner. He further submits that the Petitioner is in custody since 24.10.2025 and no criminal antecedent is reported against him. Accordingly, it is prayed that the Petitioner be released on bail.

6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.

7. Without delving into the intricacies of the case or the merits of the allegations, and in light of the facts and circumstances at hand, it is directed that the Petitioner be released on bail in the aforesaid case with some stringent terms and conditions as deems just and proper by the learned court *in seisin* over the matter with further conditions that:-



- i. The petitioner shall appear before the trial court on each date of posting of the case.
- ii. The petitioner shall not indulge himself in any criminal offence while on bail.
- iii. The petitioner shall not tamper with the evidence or intimidate the prosecution witnesses in any manner.
- iv. The Petitioner, after the onset of monsoon, shall plant 50 saplings each 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 the land for plantation.

Violation of any of the above conditions shall lead to cancellation of the bail.

8. The District Nursery/D.F.O. shall extend the helping hand by supplying the saplings to the Petitioner and the Revenue Authority shall assist the Petitioner in identifying the location for plantation of the saplings. If the land is not available, the Petitioner to approach the Revenue Authority for identifying the land for plantation and the Revenue Authority shall do the needful.



9. 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 or not.

10. It is further made clear that the Petitioner shall file an affidavit after plantation of the saplings before the local Police Station assuring that he shall maintain those plants for two years.

11. The BLAPL is accordingly disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Sumitra

Signature Not Verified

Digitally Signed
Signed by: SUMITRA NAYAK
Designation: JUNIOR STENOGRAPHER
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 20-Dec-2025 17:34:03

