



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.13311 of 2025

Balaram Kanungo

...

Petitioner

Mr. P.S. Das, Advocate

-versus-

State of Odisha

...

Opposite Party

Mr. S.C. Pradhan, Addl. PP

CORAM:
JUSTICE G. SATAPATHY
ORDER(ORAL)
24.02.2026

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Bamebari P.S. Case No. 122 of 2023 corresponding to ST Case No. 27 of 2024, pending in the file of learned Addl. Sessions Judge, Champua, for commission of offences punishable U/Ss.342/323/385/302/120-B of IPC, on the main allegation of committing murder of the deceased Tele @ Makuru Hessa, along with co-accused persons pursuant to a conspiracy.

3. Heard, Mr. Partha Sarathi Das, learned counsel for the petitioner and Mr. S.C. Pradhan, learned Addl. PP in the matter and perused the record.

4. This Court has the privilege to go through the order-sheets of the learned trial Court which reveals that despite sincere efforts of the trial Court, the attendance of the informant could not be procured to depose the evidence in the trial, but the petitioner is in custody since 07.01.2024 and in the meantime, around 21 witnesses have already been examined, however, the main allegation of giving fatal assault to the deceased is



directed against co-accused persons, but not against the present petitioner, of course there is allegation against the petitioner for assaulting the deceased prior to his assault by other co-accused persons. In the aforesaid facts and circumstances and taking into account the custody period of the petitioner and the main allegation of giving fatal assault leading to the death of the deceased being directed against co-accused persons, this Court without expressing any view on merit 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 two solvent sureties each 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 petitioners in the course of trial shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with. **In case the Petitioners fail without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioners for offence U/S.269 of BNS,2023 in accordance with law.***

6. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge