



IN THE HIGH COURT OF ORISSA AT CUTTACK

Suwendu Pradhan

(In BLAPL No.1360 of 2026)

Rakesh Khuntia @ Raka

(In BLAPL No.12351 of 2025) ... Petitioners

*Mr. A.K. Tarai, proxy counsel on
behalf of Mr. H.S. Mishra, Advocate
(in BLAPL No.1360 of 2026)
Mr. B.P. Pradhan, Advocate
(in BLAPL No.12351 of 2025)*

-versus-

State of Odisha

... Opposite Party

Mr. S.C. Pradhan, Addl. PP

Mr. L. Mahapatra, Advocate (Informant)

CORAM: JUSTICE G. SATAPATHY

Order No.
02.

ORDER(ORAL):27.04.2026

1. These matters are taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these two bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.
3. These are the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Khandagiri PS Case No.738 of 2025 corresponding to CT Case No.1934 of 2025 pending in the file of learned ADJ-Cum-Special Judge CBI-III, Bhubaneswar, being charge-sheeted for commission of offences punishable U/Ss.103(1)/61(2)/3(5) of BNS r/w Sections 25(1)(a)/27 of Arms Act, on the main allegation of committing murder of the deceased Sudhansu Khuntia



@ Rabi by firing at him after entering into a conspiracy with co-accused persons.

4. In the course of hearing, Mr. Amiya Kumar Tarai, learned proxy counsel appearing on behalf of Mr. Himanshu Sekhar Mishra, learned counsel for the petitioner in BLAPL No.1360 of 2026 submits that all the allegations of firing is directed against the co-accused Siba @ Sadasiba Pradhan, but there is absolutely no allegation against the present petitioner and, therefore, the present petitioner having falsely implicated in this case due to prior enmity may kindly be granted bail.

4.1. On the other hand, Mr. Bishnu Prasad Pradhan, learned counsel for the petitioner in BLAPL No.12351 of 2025 submits that there is absolutely no allegation against the petitioner-Rakesh Khuntia @ Raka and if the allegation against him is taken into consideration, it would only surface from the extra judicial confession made by him before the witnesses Soumya Ranjan Khuntia, Raj Kishore Sahoo and Laxmidhar Khuntia, who have stated about the petitioner assisting the co-accused in concealing the firearms and, thereby, the offence made out from the allegation appearing against the petitioner being bailable in nature for causing disappearance of evidence, he may kindly be granted bail.

4.2. Mr. Laxmidhar Mahapatra, learned counsel for the informant, however, strongly opposes the bail application of the petitioner.



4.3. Mr. S.C. Pradhan, learned Additional Public Prosecutor by submits *inter-alia* that the petitioner-Rakesh Khuntia @ Raka is having two criminal antecedents and, thereby, his action in this case can be considered to be prima facie for hatching conspiracy to murder the deceased and the allegation against the petitioner-Suvendu Pradhan being for committing murder of the deceased, their bail applications may kindly be rejected.

5. After having considered the rival submissions upon perusal of record, there appears not only allegation against the petitioners for entering into conspiracy to eliminate the deceased Sudhansu Khuntia @ Rabi, but also the deceased was allegedly done to death by the principal accused Siba Pradhan by firing at him. Besides, there is allegation against the petitioner-Rakesh Khuntia @ Raka for remaining present at the scene of occurrence and for arranging pistol for the principal accused. It is also alleged against the petitioner-Suvendu Pradhan for threatening the deceased prior to the present occurrence for the civil dispute existing between them and the mobile phone seized from him allegedly contains a video-footage in which the principal accused was practicing firing. In the sequence of events as narrated above and taking into account the nature and gravity of the offences as alleged against the petitioner vis-à-vis the accusations sought to be brought against him and regard being had to the materials placed on record



keeping in view the role as alleged against the petitioners and the petitioner-Rakesh Khuntia @ Raka having not disclosed his two criminal antecedents as brought to the notice of the Court and trial having not yet commenced, this Court does not consider it proper to grant bail to the petitioners at this stage.

6. Hence, these two bail applications of the petitioners namely Suwendu Pradhan (In BLAPL No.1360 of 2026) and Rakesh Khuntia @ Raka (In BLAPL No.12351 of 2025) stand rejected. Accordingly, these BLAPLs stand disposed of. A copy of this order be immediately transmitted to the learned trial Court for reference.

(G. Satapathy)
Judge

Subhasmita