



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.113 of 2026

Babu @ Subash Dalabehera* ... *Petitioner

Mr. P. Behera, Advocate

-versus-

State of Orissa* ... *Opposite Party

Mr. M.R. Patra, Addl. PP

Mr. A.K. Das(1), Advocate (informant)

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)

16.03.2026

Order No.

02.

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 Sarankul PS Case No.67 of 2023 corresponding to ST Case No.13 of 2025 pending in the file of learned Addl. Sessions Judge, Odagaon for commission of offences punishable U/Ss.341/323/324/325/326/307/427//506/34 of IPC r/w Sec.25 of Arms Act, on the main allegation of committing murder of one Sipun Nayak and injuring Mithun Nayak by giving blows with sharp cutting weapon, along with co-accused persons in furtherance of their common intention.
3. Heard, Mr. Pitambar Behera, learned counsel for the petitioner; Mr. Arun Kumar Das(1), learned counsel for the informant and Mr. M.R. Patra, learned Additional Public Prosecutor in the matter and perused the record.
4. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the petitioner vis-à-vis the



accusation sought to be brought against him and regard being had to the pre-trial detention of the petitioner in custody since 19.02.2025 with examination of the informant and two other witnesses in the meantime and the main allegation of assaulting the deceased by means of an axe being directed against co-accused Biranchi Nayak and the only allegation against the petitioner is for remaining present at the spot and instigating the co-accused and keeping in view the other circumstances on record in entirety including the examination of the informant who appears to be a material witness and keeping in view grant of bail to co-accused Hari @ Harihar Nayak in BLAPL No.13089 of 2023 and Sahadev Nayak in BLAPL No.4918 of 2023, this Court without expressing any view on merit admits the petitioner to bail, but subject to certain conditions.

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.25,000/- (Rupees Twenty Five Thousand) only with one solvent surety 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 conditions:-

*(i) the petitioner 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 Petitioner fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for***



offence U/S.269 of BNS, 2023 in accordance with law;

(ii)the petitioner shall not threaten/influence/induce/ coerce any of the witnesses including the informant and her family members acquainted with the facts of the case so as to dissuade them disclosing such facts before the Court.

6. Accordingly, the BLAPL stands disposed of.
7. 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

Jayakrushna

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 17-Mar-2026 14:37:22

