



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.280 of 2026

Md. Irsad @ Kadir @ Kallua ... ***Petitioner***

Mr. B. Dalai, Advocate

-versus-

State of Odisha ... ***Opposite Party***

Mr. P. Satpathy, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)

25.02.2026

Order No.

01.

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

2. This is the 5th bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Lakhanpur PS Case No.236 of 2020 corresponding to CT (Sessions) Case No.31 of 2021 pending in the file of learned Additional Sessions Judge, Jharsuguda, for commission of offences punishable U/Ss.302/201/120-B/397 of IPC, on the main allegation of committing murder of Monu Sa, the driver of the trailer by assaulting him with a rod and crushing his head under the wheels of the truck.

3. In the course of hearing, Mr. Biswaranjan Dalai, learned counsel for the petitioner submits that the witnesses so far examined except PWs.17 and 20, none has supported the prosecution allegation against the petitioner, but the petitioner having detained in custody for a longer period and trial having not yet concluded, his bail application may kindly be considered sympathetically. Accordingly, Mr. Dalai prays to grant bail to the petitioner.

3.1. On the other hand, Mr. P. Satpathy, learned Additional Public Prosecutor by reiterating the facts



submits that the bail application of the petitioner was earlier rejected by this Court on 22.09.2025 and there is no change in circumstance to consider the bail application afresh. Mr. Satpathy further submits that not only PWs.17 and 20 have supported the prosecution allegation against the petitioner, but also the petitioner is found to be involved in a gruesome offence on prima facie material, and, therefore, the bail application of the petitioner may kindly be rejected.

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 allegation sought to be brought against him and regard being had to the materials so far collected against the petitioner keeping in view the evidence of witnesses so far examined, more particularly that of PWs.17 and 20 and there being no real change in circumstance after refusal of bail to the petitioner in BLAPL No.11791 of 2024 and taking into account all the other circumstances on record cumulatively and keeping in view the homicidal death of an innocent person for the purpose of robbery, this Court is not inclined to grant bail to the petitioner.

5. Hence, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of. A copy of this order be immediately transmitted to the learned Court in seisin over the matter.

(G. Satapathy)
Judge