

(2026) 08 OHC CK 1609
In the Orissa High Court, Cuttack Bench
Case No : BLAPL Nos.5715 & 6544 of 2026

Akash Kumar Dash & Anr.

APPELLANT

Vs

State of Odisha

RESPONDENT

Date of Decision : 05-08-2026

Acts Referred:

BNSS, 2023 — Section 483
BNS, 2023 — Section 126(2), 296, 115(2), 118, 118(2), 109(1), 351(2), 3(5), 281, 117(2), 269
Arms Act — Section 25, 27

Citation : (2026) 08 OHC CK 1609

Hon'ble Judges : G. Satapathy, J

Bench : Single Bench

Advocate : Mr. A. Das, Mr. S.P. Mahapatra, Mr. T.K. Acharya, Mr. Abhijit Das, Mr. Sudhansu Prasad Mahapatra

Final Decision : Allowed

Judgement

G. Satapathy, J.

1. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Talabania P.S. Case No. 50 of 2026 corresponding to G.R. Case No. 235 of 2026 pending in the file of learned SDJM, Puri, for commission of offences punishable U/Ss. 126(2)/296/115(2)/118/118(2)/109(1)/351(2) & 3(5) of BNS r/w. Section 25 & 27 of the Arms Act, on the main allegation of attempting to the life of the injured-Rakesh Kumar Barik and Ranjit Narayan Gochhayat by assaulting them with sword, along with co-accused persons in furtherance of their common intention.

2. Heard, Mr. Abhijit Das, learned counsel for the petitioner in BLAPL No. 5715 of 2026, Mr. Sudhansu Prasad Mahapatra, learned counsel for the petitioner in BLAPL No. 6544 of 2026 and Mr. T.K. Acharya, learned Addl. PP in these matters and perused the record.

3. Bail to the petitioners was in fact opposed to by the learned State Counsel for not disclosing another criminal case in Puri Sea Beach P.S. Case No. 33 of 2025 for commission of offence punishable U/Ss. 281/115(2)/117(2)/3(5) of BNS, but such allegation relates to rash and negligent driving, however, the petitioners are in custody since 13.02.2026, but in the meantime, charge sheet has already been submitted. Besides, there is allegation against the informant and others for attacking the petitioner prior to this occurrence. Admittedly, the injured Rakesh Kumar Barik has sustained some grievous injury, but he has already been discharged from the hospital.

4. In view of the aforesaid facts and circumstance and taking into consideration the nature and gravity of the offence as alleged against the petitioners vis-?-vis the accusations sought to be brought against them and regard being had to the materials placed on record and there being no serious criminal antecedent reported against the petitioners and keeping in view the other circumstances on record in entirety including the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing any view on merit, admits each of the petitioners to bail.

5. Hence, the bail applications of the petitioners namely Akash Kumar Dash (BLAPL No.5715 of 2026) and Raja @ Dibyajyoti Behera (BLAPL No. 6544 of 2026) stand allowed and each of the petitioners is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) each with two solvent sureties 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 their attendance is dispensed with and shall cooperate the Court during the trial. **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, these three BLAPLs stand disposed of. A soft copy of this judgment be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.