
(2026) 08 OHC CK 1237

In the Orissa High Court, Cuttack Bench

Case No : BLAPL Nos.5863, 5954 & 6412 of 2026 (CNR Nos.
ODHC010412322026, ODHC010432632026 & ODHC010458412026)

K. Nageswar @ Kele Nagesh Rao @ Kele Dasa APPELLANT
Vs

State of Odisha RESPONDENT

Date of Decision : 06-08-2026

Acts Referred:

Indian Penal Code, 1860 — Section 147, 148, 149, 183, 186, 294, 341, 353, 506
NDPS Act, 1985 — Section 20(b)(ii)(C), 29, 37
Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483

Citation : (2026) 08 OHC CK 1237

Hon'ble Judges : G. Satapathy, J.

Bench : Single Bench

Advocate : Mr. J.K. Panda, Advocate (in all these BLAPLs) for Petitioners; Mr.
T.K. Acharya, Addl. PP for Opposite Party

Final Decision : Allowed

Judgement

G. Satapathy, J.

1. Since these three 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 counsels for the parties.

2. These are bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Chitrakonda PS Case No.71 of 2023 arising out of Special GR Case No.118 of 2023 pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri, for commission of offence punishable U/Ss.147/ 148/ 341/ 294/ 183/ 186/ 353/ 506/ 149 of IPC r/w Sections 20(b)(ii)(C)/29 of the NDPS Act, on the allegation of rioting with deadly weapons, along with co-accused persons in total around 100 persons and preventing the police raiding party to seize 300Kgs of Contraband Ganja stacked in the Jungle by attacking them.

3. Heard, Mr. Jugal Kishore Panda, learned counsel for the petitioners and Mr. T.K. Acharya, learned Addl. PP in the matter and perused the record.

4. Admittedly, the name of some of the accused persons find place in the FIR, but the name of the petitioners K. Nageswar @ Kele Nagesh Rao @ Kele Dasa, Biswanath Hantal, Damu Muduli, Dambaru Khilla and Sonu Pangi @ Panu Mangi do not find place in the FIR, however, no Contraband Article has been recovered or seized from the possession of any of the petitioners. The State has failed to report any criminal antecedent of similar nature against the petitioners. In the peculiar facts and circumstance, it appears to the Court that the accused-petitioners have satisfied the conditions of Section 37 of the NDPS Act.

5. For the reasons stated hereinabove and taking into account the custody period of the petitioners and regard being had to the progress of investigation in this case and grant of bail to co-accused persons, this Court without expressing any view on merits admits, each of the petitioners to bail.

6. Hence, these three bail applications of the petitioners namely K. Nageswar @ Kele Nagesh Rao @ Kele Dasa (BLAPL No. 5863 of 2026); Biswanath Hantal & Damu Muduli (BLAPL No. 5954 of 2026) and Dambaru Khilla & Sonu Pangi @ Panu Mangi (BLAPL No. 6412 of 2026) stand allowed and each of the petitioners are allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) each 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.

7. Accordingly, these BLAPLs stand 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.