



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5642 of 2026

CNR No.ODHC010409222026

(In the matter of application under Section 483 of the BNSS).

Tapas Kumar Maity @ Tapas Maity @ Tapan Maity ... ***Petitioner***

-versus-

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

For Petitioner : ***Mr. M. Faradish. Advocate***

For Opposite Party : ***Mr. P. Satpathy, Addl. PP***

CORAM:

JUSTICE G. SATAPATHY

DATE OF HEARING & DATE OF JUDGMENT:04.08.2026 (ORAL)

G. Satapathy, J.

1. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Lalbag PS Case No.244 of 2025 corresponding to GR Case No.534 of 2025 pending in the Court of learned SDJM, (Sadar), Cuttack for commission of offences punishable under Sections 318(4)/ 316(2)/ 316(5)/ 296 and 351 (4) of B.N.S, on the main allegation of misappropriating



1Kgs and 887grams of gold and 784Grams of Silver belonging to the 11 informants.

2. In the course of hearing, Mr. M. Faradish, learned counsel for the petitioner submits that although FIR has been lodged against the present petitioner on the allegation of misappropriating the gold and silver of 11 informants, but the wife of the petitioner has lodged an FIR against the 9 informants prior to this FIR for threatening the petitioner for return of money and thereby, the allegation levelled against the petitioner appears to out and out false, but in the meantime, 5kgs of silver has already been recovered and, therefore, the petitioner may kindly be granted bail.

2.1. On the other hand, Mr. P. Satpathy, learned Addl. PP, however, strongly opposes the bail application of the petitioner by contending inter alia that mere lodging of FIR against the informants would not *per se* disprove the allegation levelled against the petitioner and the petitioner being *prima facie* involved in misappropriating gold of the informants, he should not



be granted bail. Accordingly, Mr. Satpathy, prays to reject the bail application of the petitioner.

3. 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 23.02.2026 with submission of charge-sheet in the meantime and the offences alleged against the petitioner being triable by magistrate and taking into account the law laid down by the Apex Court in ***Satender Kumar Antil Vrs. Central Bureau of Investigation; (2022) 10 SCC 51*** 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 the petitioner to bail.

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) 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.

4. Accordingly, the BLAPL stands disposed of. 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

*Orissa High Court, Cuttack,
Dated the 04th Day of August, of 2026/ Jayakrushna*

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 04-Aug-2026 20:57:39