



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL NO.13591 of 2025
CNR NO.ODHC010928352025

(In the matter of application under Section 483 of
BNSS, 2023).

Angel Mishra ... **Petitioner**

-versus-

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

For Petitioner : **Mr. D. Das, Advocate**

For Opposite Party : **Mr. S.C. Pradhan, Addl. PP**
Mr. A. Pradhan, Advocate
(Informant)

CORAM: JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT:03.09.2026(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 Tamando PS Case No.299 of 2024 corresponding to CT Case No.709 of 2024 pending in the file of learned JMFC-I, Bhubaneswar, for commission of offences punishable U/Ss.420/406/467/468/471/120-B of IPC, on the main allegation of illegally acquiring a loan of Rs.1,18,00,000/- (Rupees One Crore Eighteen Lakhs) from the company namely Aditya Birla Capital Ltd. by producing fictitious/forged documents.



2. Heard, Mr. Debasnan Das, learned counsel for the petitioner; Mr. Abhinandan Pradhan, learned counsel for the informant and Mr. S.C. Pradhan, learned Additional Public Prosecutor in the matter and perused the record.

3. No doubt, the bail application of the petitioner has been seriously opposed to by the learned State Counsel and Mr. Abhinandan Pradhan, learned counsel for the informant on the ground that the petitioner is having six criminal antecedents, but not only the petitioner has disclosed her antecedents, but also she is in custody in this case since 09.08.2024. According to the petitioner, charge was framed in this case on 19.07.2025 fixing the trial to 02.08.2025, but in the meantime, only two witnesses have been examined. Further, the petitioner has also invoked the provision of Section 480(6) of BNSS for grant of bail to her, but the same was rejected. It is also not in dispute that the provision of Section 480(6) of BNSS does not confer an absolute right like the provision U/S.187(3) of BNSS, but the provision



U/S.480(6) of BNSS, however, confers a higher right for grant of bail to an accused, if the trial is not concluded in a Magistrate triable offence within sixty days from the first date fixed for taking evidence, which is evident by the use of word “shall be released on bail” in the aforesaid section. Besides, grant of bail to an accused should not be confused with her acquittal inasmuch as grant of bail is temporary release of the accused on his/her assurance to attend the trial with guarantee of the surety. The case herein, however, depicts allegation against the petitioner for deceiving the informant for a sum of Rs.1,18,00,000/- (Rupees One Crore Eighteen Lakhs), but at the same time, the detention of the petitioner for near about two years cannot be forgotten. Whatever may be the allegation, it is only allegation, but the same is subject to proof in the trial.

4. On a bare perusal of the provision of Section 480(6) of BNSS, one thing comes to the mind of the Court that the provision appears to be more



mandatory than discretionary, nonetheless it is not an absolute right of an accused, but confining an offender/accused for indefinite period on the expectation of conclusion of trial on one day is not the spirit of Article 21 of the Constitution of India. Additionally, the petitioner is facing trial in the Court of learned JMFC, Bhubaneswar, who is competent to impose punishment of imprisonment up to three years, but the petitioner has already suffered incarceration of two years. In the aforesaid facts and situation and on consideration of materials placed on record and taking into account the snail's pace of trial together with the provision of Section 480(6) of BNSS and that too, when the petitioner is a lady, who qualifies for bail on the proviso appended to Section 480 of BNSS, this Court without expressing any view on merits admits the petitioner to bail.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing property surety of Rs.5,00,000/- (Rupees Five Lakhs) free from any



encumbrance, in addition to bail bonds of Rs.1,00,000/- (Rupees One Lakh) with two solvent sureties each 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 shall co-operate the further trial &

(ii) the petitioner shall not leave the country without prior permission of the learned trial Court till disposal of the case by surrendering her passport, if not already surrendered or seized. If the petitioner is not a holder of Passport, she may swear an affidavit to that effect & produce it before the learned trial Court.

6. 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 3rd day of September, 2026/Subhasmita*