



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.182 of 2026

Riyaz Mahammad

....

Petitioner

Mr. A.R. Panda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S. Panda, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

12.01.2026

Order No.

01.

1. Heard Mr. Panda, learned counsel for the petitioner and Mr. Panda, learned ASC for the State.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioner in connection with Baramba P.S. Case No.87 of 2025 corresponding to G.R. Case No.134 of 2025 pending in the file of learned J.M.F.C, Baramba on the grounds stated therein.
3. From the FIR at Annexure-1, this Court finds that the accused persons to be responsible in the illicit transportation of cattle caught at the spot by the local police. It is submitted to the Court by Mr. Panda, learned counsel for the petitioner that the petitioner was not among them but has been implicated by the informant. In the meantime, preliminary chargesheet has been filed. The further submission is that the petitioner had



approached this Court in ABLAPL No.4560 of 2025 and it was disposed of on 30th April, 2025, a copy of which is at Flag-B, whereafter, I.A. No.1469 of 2025 was moved seeking modification of the same but it has not been entertained and by order dated 9th October, 2025, liberty granted to him to renew the prayer for bail afresh. A copy of the order of the said I.A. is produced in Court today at the time of hearing and the same is taken on record.

4. Recorded the objection of the State. It is informed to the Court that the accused persons were nabbed at the spot and also with some other accused persons and in so far as the petitioner is concerned, he was allowed to go on bail in ABLAPL No.4560 of 2025 with conditions but it could not be availed for him having three to four cases of similar in nature. Considering the above facts and since the preliminary chargesheet is already filed in the meantime though investigation is still open and having regard to the order in ABLAPL No.4560 of 2025 and liberty granted in favour of the petitioner to renew such prayer in view of the order in I.A. No.1469 of 2025, this Court is of the view that the petitioner should not be granted pre-arrest bail but to be directed to surrender before the court concerned to be released on bail with conditions.

5. Accordingly, it is ordered.

6. In the result, ABLAPL stands disposed of with the direction as aforesaid. It is further directed that in the event the petitioner surrenders before the learned court below within a



fortnight from today, he shall be released on bail in connection with Baramba P.S. Case No.87 of 2025 corresponding to G.R. Case No.134 of 2025 subject to suitable conditions imposed keeping in view of the facts and circumstances of the case.

7. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok