



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.203 of 2026

Kamdev Bernal

.... **Petitioner**
Mr. J. Panda, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mr. S. Panda, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

09.02.2026

Order No.

02.

1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioner seeking pre-arrest bail in connection with Bhawanipatna Town P.S. Case No.202 of 2024 corresponding to C.T. Case No.585 of 2025 pending in the court of learned S.D.J.M., Bhawanipatna on the grounds stated.
3. Perused the FIR as at Annexure-1 and it reveals that the alleged incident took place in the year 2024, during and in course of which, the driver, conductor and helper and another conductor of a bus named therein did the mischief and assaulted the informant, who was driving an auto-rickshaw by then. Mr. Panda, learned counsel for the petitioner submits that the presence of the petitioner is alleged and he happens to be the owner of the vehicle. From the FIR i.e. Annexure-1, the alleged mischief is shown to have been committed by the drivers, conductor and helper though the petitioner is chargesheeted but shown as an absconder. According to the



learned counsel for the State, the injuries are simple in nature such as bruises and contusion. The medical examination report of the injured is produced and the same is gone through. Considering the fact that the assault was at the instance of the driver, conductor and helper and another conductor and nothing is coming forth to show that the petitioner is one among the assailants, recording the objection of the State and the nature of injuries received, even though, no opinion has been offered vis-à-vis the nature of the injuries as made to reveal from the medical examination report, the Court is not in favour of pre-arrest bail but is inclined to direct release of the present accused on bail upon his surrender before the learned court below with suitable conditions imposed and accordingly, it is ordered.

4. In the result, the ABLAPL petition stands disposed of with a direction to the petitioner to surrender before learned S.D.J.M., Bhawanipatna within a fortnight from today and in the event, he surrenders in compliance thereof, shall be released on bail in connection with C.T. Case No.585 of 2025 on furnishing a bail bond of Rs.25,000/- (rupees twenty-five thousand) with one solvent surety for the like amount to the satisfaction of the court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case.

5. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge