



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.448 of 2026

Riyaz Mahammad

....

Petitioner

Mr. A.R. Panda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Ms. B. Sahoo, AGA

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

21.01.2026

Order No.

01.

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 Athagarh P.S. Case No.335 of 2025 corresponding to C.T. Case No.712 of 2025 pending in the court of learned S.D.J.M., Athagarh on the grounds stated.
3. Gone through the F.I.R. as at Annexure-1 and it reveals that two accused persons named therein were found transporting the cattle in a Bolero Pickup vehicle at the relevant point of time, when it was intercepted by the local police. The further allegation therein is that the said accused persons attempted to run over the vehicle on the police party duty at the relevant point of time. The petitioner is said to have three to four other criminal antecedents. A copy of the order in ABLAPL No.182 of 2026 dated 12th January, 2026 is produced claiming that in one of such cases, the petitioner has been directed to go on bail upon his surrender. Recorded the objection of the State. From the FIR at Annexure-1, the Court



finds that the petitioner's name has not been mentioned therein, whereas, two others nabbed at the spot revealed his name during investigation. Recording such submission and since the name of the petitioner does not find place in the FIR i.e. Annexure-1, though him having other antecedents and the alleged mischief is directed against the co-accused persons, namely, Aspak Ali and Juma Khan, this Court is of the view that he should not be granted pre-arrest bail but directed to surrender before the learned court concerned for being released on bail with stringent 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., Athagarh 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.712 of 2025 upon furnishing a bail bond of Rs.30,000/- (rupees thirty 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 besides the following, such as, he shall report the I.O. at least once in a week for the purpose of investigation and to continue to do so, till its completion and at the same time to furnish an undertaking to not involve himself in similar criminal activities in future.

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

(R.K. Pattanaik)
Judge