



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1001 of 2026

Ashis Mohanty@Ashis Kumar Mohanty **Petitioner**

Mr. A. Patnaik, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC
Mr. A.P. Bose, Advocate for the informant

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ABLAPL No.1068 of 2026

Soubhagya Muduli@Bunti Muduli **Petitioner**
Mr. R.K. Swain, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC
Mr. A.P. Bose, Advocate for the informant

CORAM:
MR. JUSTICE R.K. PATTANAIAK

ORDER
26.02.2026

Order No.
02.

1. Both the ABLAPLs are taken up together and disposed of by the following common order.
2. Instant petitions have been filed under Section 482 BNSS by the petitioners seeking pre-arrest bail in connection with Barang P.S. Case No.39 of 2026 on the grounds stated therein.
3. Perused the FIR as at Annexure-1. In the said report, two incidents have been narrated, one is dated 17th January,



2026 and the other one allegedly having taken place on 18th January, 2026. The details of the excess committed by the named accused persons are described therein. According to the FIR on 17th January, 2026, one of the petitioners and other accused persons with their accomplices reached at the spot and did the overt acts on the point of firearm and it was informed to the complainant that the land belongs to the other petitioner, namely, Ashis Mohanty @ Ashis Kumar Mohanty. After the above incident, it is further revealed therein that on 18th January, 2026, when the complainant and his friends were at the location, the accused persons named arrived there and threatened them to kill and abused all in obscene language. After the said incident dated 18th January, 2026, the report has been lodged.

4. Learned counsels for the petitioners submit that the other accused persons, who did the mischief have been named in the FIR. In so far as the accused, namely, Soubhagya Muduli @ Bunti Muduli is concerned, it is claimed that he is alleged to be at the spot on 17th January, 2026 but not on 18th January, 2026, but apprehends arrest in view of the allegations made therein. As to the other accused, namely, Ashis Mohanty @ Ashis Kumar Mohanty, it is submitted that he is not at all involved but named by the complainant. It is submitted that the said accused was neither named for the incident dated 17th January, 2026 nor for the other incident dated 18th January, 2026. The submission is that the other accused persons present at the spot on 17th January, 2026 took the name of the petitioner in ABLAPL No.1001 of 2026 by claiming that the land in question belongs to him.



5. In course of hearing, Mr. Swain, learned counsel for the petitioner in ABLAPL No.1068 of 2026 submits that the alleged land belongs to the father of the accused, namely, Soubhagya Muduli @ Bunti Muduli, which is denied by Mr. Bose, learned counsel for the informant. While claiming as above, a copy of the RoR is submitted but Mr. Bose, learned counsel would submit that the RoR does not belong to the same land. As it appears, there is a dispute over the land involved, in respect of which, the alleged incidents have taken place on 17th January, 2026 and 18th January, 2026. The Court finds that one of the petitioners, namely, Ashis Mohanty @ Ashis Kumar Mohanty was not present at the spot in both the incidents. As to the other accused, namely, Soubhagya Muduli @ Bunti Muduli, it is alleged that he had been to the spot on 17th January, 2026 but was not there on 18th January, 2026.

6. The copies of the FIRs lodged are gone through. In fact, one of the reports lodged by the local PS., wherein, the names of the petitioners have not been revealed. For one such FIR, Barang P.S. Case No. 38 dated 18th January, 2026 has been registered and therein, the accused persons, who had been to the spot and detained by the police are disclosed and the list does not include the names of the petitioners. It is submitted by Mr. Panda, learned counsel for the State that the accused persons committed mischief and did vandalism, as a result of which, properties standing over the land has been damaged, which belongs to the informant. No material is brought to the notice of the Court regarding any such damage caused to the properties. But, in connection with the alleged incident, it is informed to the Court by Mr. Panda, learned ASC that five of



the accused persons have been arrested and presently, in custody. In so far as, the incident dated 18th January, 2026 is concerned, it is revealed from the FIR that the accused persons, who had been at the spot used firearms as further informed by Mr. Panda, learned ASC for the State but again, there is no material to show any seizure of it having been made by the police. Under the above circumstances, since there has been a land dispute as it appears with rival claims by the informant and the accused, namely, Soubhagya Muduli @ Bunti Muduli, whereas, the other accused, namely, Ashis Mohanty @ Ashis Kumar Mohanty had never been to the spot and only named by others, considering the same, this Court though not inclined to grant them pre-arrest bail but is of the view that both should be directed to surrender before the learned court below for being released with stringent conditions imposed.

7. Accordingly, it is ordered.

8. In the result, the ABLAPL petitions stand disposed of with a direction to the petitioners to surrender before the learned court below within a fortnight from today in connection with the case arising out of Barang P.S. Case No.39 of 2026 and in the event, they surrender in compliance thereof, shall be released on bail in connection with Barang P.S. Case No.39 of 2026 on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) each with one solvent surety for the like amount each to the satisfaction of the court concerned, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, they shall not commit any further



mischievous and cause any harm to the informant in any manner, whatsoever and to cooperate the I.O in the investigation as and when summoned.

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

(R.K. Pattanaik)
Judge

Balaram