



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.1149 of 2026**

**Dibyajyoti Bahupuja**

.... **Petitioner**  
Mr. R. Pradhan, Advocate

-Versus-

**State of Odisha & another**

.... **Opposite Parties**  
Mr. M.K. Mohanty, ASC

**CORAM:**

**MR. JUSTICE R.K. PATTANAİK**

**ORDER**

**16.04.2026**

**Order No.**

03.

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 Betnoti P.S. Case No.420 of 2025 corresponding to C.T. Case No.1430 of 2025 pending in the court of learned J.M.F.C., Betnoti on the grounds stated.
3. Perused the FIR as at Annexure-1. This Court by order dated 25<sup>th</sup> February, 2026 had directed the parties to go for a medication with their appearance before the DLSA, Mayurbhanj at Baripada on the date fixed. It is informed to the Court by Mr. Pradhan, learned counsel for the petitioner that the informant did not turn up for the mediation. It is further informed to the Court that for the default of the informant, the mediation was closed and now not pending before the concerned DLSA. Learned counsel for the State claims that the notice on the informant has been served in the meantime but he has no instructions as to why he failed to appear for mediation



before the DSLA, Mayurbhanj at Baripada. In so far as the allegations in the FIR at Annexure-1 is concerned, it is about an offence under Section 64(2)(n) BNS with the allegation that the petitioner maintained physical relationship with the victim, a major, on a promise of marriage. The victim's statement recorded under Section 183 BNSS and a copy of the same is made available to the Court and on its reading, the Court finds that she was in a relationship with the petitioner for quite some time, but for the reason stated therein, it could not materialize in their marriage. At the time of her examination during investigation as further revealed from her statement dated 1<sup>st</sup> December, 2025, she was seven months pregnant. The parties are major and the case diary produced before this Court reveals that the chargesheet is filed keeping the investigation open in terms of Section 193(9) BNSS. Considering the fact that the parties had been in a relationship, which subsequently stood deteriorated when the marriage between the two failed to take place, this Court considering the same and closure of investigation in the meantime though not in favour of allowing the petitioner's plea for a pre-arrest bail but is of the view that he should be directed to surrender before the learned court below for being released with conditions.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL petition stands disposed of with a direction to the petitioner to surrender before learned J.M.F.C., Betnoti 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.1430 of 2025 on 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 of the case besides the following, such as, he shall not cause any harm to the informant in any manner whatsoever while on bail. Considering the FIR and the fact that the victim was pregnant by the time of her examination before the Magistrate, this Court reiterate the view for mediation and directs both sides to once again appear before the DSLA, Mayurbhanj at Baripada for mediation and for the said purpose, State shall intimate the informant in that regard for her appearance on 30<sup>th</sup> April, 2026 for its consideration with a report being submitted to the court below for further orders.

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

**(R.K. Pattanaik)**  
**Judge**

Balaram