



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1455 of 2025

Binaya Kumar Bishi

.... **Petitioner**
Mr. S.K.Dalai, Advocate

-Versus-

State of Odisha

.... **Opposite Party**
Mr. S.K. Lenka, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

**Order
No.**

**ORDER
25.03.2026**

03. 1. Heard Mr. Dalai, learned counsel for the petitioner and learned counsel for the State.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with 2(b) CC Case No.01 of 2026 pending in the file of learned JMFC, Tumudibandha corresponding to OR Case No.72 of 2025-26 on the grounds stated.
3. Perused the P.R. as at Annexure-1 series. Mr. Dalai, learned counsel for the petitioner submits that the present accused is a Government servant posted as a Forest Ranger at the relevant point of time when carcass of one Elephant was recovered. It is further submitted that the other accused persons involved in the alleged incident are on bail. Recorded the submission of learned counsel for the State and it is admitted by him that the petitioner has extended cooperation during



investigation by appearing before the I.O. As per the P.R. disintegrated body parts of an elephant in pieces were recovered and thereafter, it was followed by action against the co-accused persons including the petitioner. Considering the above facts and submissions of learned counsel for the respective parties and that the petitioner is extending cooperation in the investigation and being a Government servant, this Court though not in favour of granting him pre-arrest bail but is of the view that he should surrender before the learned court below for being released with conditions and accordingly, it is ordered.

4. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioner surrender before the court of learned JMFC, Tumudibandha within a fortnight from today, it is directed that he shall be released on bail in connection with 2(b) CC Case No.01 of 2026 corresponding to OR Case No.72 of 2025-26 on furnishing bail bonds of Rs.30,000/-(rupees thirty thousand) with one solvent surety for the like amount with such other conditions imposed as deemed just and proper and in the facts and circumstances of the case and subject to a further condition that he shall cooperate the I.O. in the investigation as and when required.

5. IA is disposed as a result.

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

(R.K. Pattanaik)
Judge