



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1635 of 2026

Rajendra Prasad Nayak & others Petitioners

Mr. T. Dash, Advocate

-Versus-

State of Odisha Opposite Party

Mr. M.K. Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

23.03.2026

Order No.

01.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioners in connection with Athagarh P.S. Case No.0033 of 2026 corresponding to C.T. Case No.64 of 2026 pending in the file of learned S.D.J.M, Athagarh on the grounds stated therein.
3. Perused the FIR as at Annexuer-1. It is submitted to the Court by learned counsel for the petitioners that petitioner No.1 issued a cheque for an amount of Rs.3.77 lakh to the informant and it could not be honoured and hence, a dispute arose leading to the lodging of the FIR. It is submitted that a report has been lodged with the allegation of cheating whereas it is a case of cheque bounce punishable under Section 138 N.I. Act.
4. Recorded the submission of learned counsel for the State.



5. In so far as, petitioner Nos.1 to 4 are concerned, other kind of mischief is alleged against them, whereas, the cheque was deposited by petitioner No.1. Considering the nature of allegation revealed from the FIR, this Court is not inclined to grant pre-arrest bail to the petitioners, however, is of the view that the petitioners should be directed to surrender before the learned court below for being released with conditions.

6. Accordingly, it is ordered.

7. In the result, the ABLAPL is disposed of. It is directed that in the event, petitioner No.1 surrenders within a fortnight from today before the learned S.D.J.M, Athagarh in connection with Athagarh P.S. Case No.0033 of 2026 corresponding to C.T. Case No.64 of 2026, he shall be released on bail subject to refund of cheque amount by him in four installments with the first installment paid at the time of his release, whereas, petitioner Nos.2 to 4 shall be released on furnishing a bail bond of Rs.20,000/- (Rupees twenty thousand) each with one solvent surety for the like amount each to the satisfaction of the learned 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.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge