



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1676 of 2026

Dillip Kumar Panda

....

Petitioner

Mr. S. Bahadur, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIAK

ORDER

31.03.2026

Order No.

2.

1. Heard learned counsel for the respective parties.

2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioner in connection with Niali P.S. Case No.44 of 2026 corresponding to G.R. Case No.43 of 2026 pending in the file of learned J.M.F.C, Niali on the grounds stated therein.

3. Perused the FIRs as at Annexures-1 & 2 series. In compliance of the Court's order dated 24th March, 2026, the State produced the case diary & other relevant police papers including the statement of the informant recorded under Section 183 BNSS during investigation. Mr. Bahadur, learned counsel for the petitioner submits that the parties were in a relationship for some time and hence, the allegation of rape is not made out. The further submission is that one more complaint was earlier filed by the informant in 1CC Case No.19 of 2025 subsequently registered as Niali P.S. Case No.11 dated 7th January, 2026 with



regard to an incident dated 5th November, 2025. Considering the nature of allegations against the petitioner, the further submission of the learned counsel for the petitioner is that the present accused should be granted bail pending investigation as the same are falsely motivated. Recorded the objection of Mr. Mohanty, learned counsel for the State. Gone through the statement of the informant recorded before a Magistrate. It is made to understand from the FIRs and also the case diary that the petitioner and the informant had been in relationship before lodging of the FIRs. As it appears, the relationship between the two worsened for the reasons revealed from the record and it has led to lodging of the FIRs. This Court finds that the informant is a married lady, so the petitioner. There has been a dispute between the families as well, hence, the other FIR i.e. Annexure-2 series. Considering the above facts and the parties having had sexual encounters admitted by the victim herself, this Court, considering the same and the materials on record, though not inclined to entertain the plea of pre-arrest bail of the petitioner but is of the view that he should be directed to surrender before the learned court below for being released with suitable conditions.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of. It is directed that in the event, the petitioner surrenders within a fortnight from today before the learned J.M.F.C., Niali in connection with Niali P.S. Case No.44 of 2026 corresponding to G.R. Case No.43 of 2026, he shall be released on bail subject to him on



furnishing a bail bond of Rs.25,000/- (Rupees twenty five thousand) with one solvent surety for the like amount 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 besides the following, such as, he shall not commit any further mischief and cause any harm to the informant in any manner whatsoever, while on bail and to co-operate the I.O. in the investigation whenever summoned.

6. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok