



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1692 of 2026

Sudhir Kumar @ Rupesh Kumar Petitioner

Mr. B.K. Behera, Advocate

-Versus-

State of Odisha Opposite Party

Mr. M.K. Mohanty, ASC

Mr. S.K. Dwibedi, Advocate
(Informant)

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.03.2026

Order No.

01.

1. Mr. Dwibedi, learned counsel appears for the informant and files Vakalatnama and his submission is recorded.
2. Heard learned counsel for the respective parties.
3. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioner in connection with Nayapalli P.S. Case No.73 of 2026 corresponding to G.R. Case No.138 of 2026 pending in the file of learned J.M.F.C.-III, Bhubaneswar on the grounds stated therein.
4. Perused the FIR as at Annexuer-1. Mr. Behera, learned counsel for the petitioner submits that the injury received by the informant is simple in nature. It is claimed that the assault happened suddenly at the fruit shop of the informant for the reason stated as revealed from the FIR. The case diary is produced by the learned counsel for the State and the same is gone through. From the medical examination report produced



along with the case diary, the Court finds that the injury received by the informant is an abrasion stated to be not grievous, which corroborates the statement of the learned counsel for the petitioner. Mr. Dwibedi, learned counsel for the informant submits that the petitioner and his staff assaulted the informant by means of a pipe, hence, he should not be allowed to go on bail. Recorded the objection of the State as well. The details of the incident are narrated by the informant and other witnesses examined during investigation. But, as earlier stated, the injury is simple even though the assault was carried out by means of an iron pipe. It is claimed that the petitioner is the owner of M/s. Laxmi Trader and is allegedly involved himself with the assault but he is having no past antecedent. Considering the above facts and the injury to be not serious and that the petitioner has committed the excess as money was demanded by the informant even for the damaged fruit and it all happened on the spur of the moment, this Court though not inclined to grant pre-arrest bail to the petitioner, however, is of the view that he should be directed to surrender before the learned court below for being released with suitable conditions.

5. Accordingly, it is ordered.

6. 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.-III, Bhubaneswar in connection with Nayapalli P.S. Case No.73 of 2026 corresponding to G.R. Case No.138 of 2026, he shall be released on bail subject to him 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 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 cause any harm to the informant in any manner whatsoever, while on bail or coerce or threaten him and to furnish an undertaking in that regard at the local P.S and at the same time, to cooperate the I.O. in the investigation as and when summoned.

7. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok