



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1751 of 2026

Nilanchal Gouda and others **Petitioners**
Mr. J. Sahoo, Advocate

-Versus-

State of Odisha **Opposite Party**
Ms. B.K. Sahu, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
25.03.2026

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 Kotinada P.S. Case No.13 of 2026 corresponding to G.R. Case No.73 of 2026 pending in the file of learned J.M.F.C., Aska on the grounds stated therein.
3. Perused the FIR as at Annexuer-1. It is submitted to the Court by the learned counsel for the petitioners that the assault was by petitioner No.1 and not the other two and in so far as injuries are concerned, it has been received on the hand by the brother of the informant and therefore, they should be allowed to release on bail, which is seriously objected by Ms. Sahu, learned AGA for the State with the submission that the assault was by means of a Kati and petitioner No.2 is having antecedent. In response to the above, learned counsel for the petitioners submits that the antecedents of petitioner No.2 are not similar in nature. The antecedent report of petitioner No.2 is



produced. In total, petitioner No.2 is having four criminal cases to his credit, but the cases are not for any offence punishable under Section 109(1) BNS. It is claimed that the cases have been registered in connection with disputes in the village. Having regard to the above facts and submissions of learned counsel for the respective parties and since petitioner No.1 is alleged to be the assailant and he caused the injury to the victim by means of a Kati, this Court is not inclined to grant him pre-arrest bail, however, allows him the liberty to surrender before the learned court below seeking regular bail, but in respect of petitioner Nos.2 & 3, they should instead be directed to surrender before the learned court below for being released with stringent conditions.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of. In so far as the bail plea vis-à-vis petitioner No.1 is concerned, it is rejected, however, directing petitioner Nos.2 & 3 to surrender within a fortnight from today before the learned J.M.F.C., Aska in connection with Kotinada P.S. Case No.13 of 2026 corresponding to G.R. Case No.73 of 2026 for being released on bail subject to them on furnishing a bail bond of Rs.30,000/- (Rupees thirty 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, besides the following, such as, they shall not pick up any quarrel with the informant and his family members and also cause any harm to the injured in any manner



whatsoever and to furnish an undertaking in that regard at the PS to comply the conditions imposed.

6. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok