



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1790 of 2026

Pradeep Mohapatra @ Pratap **Petitioner**
Chandra Mohapatra

Mr. A. Sahoo, Advocate

-Versus-

State of Orissa **Opposite Party**

Mr. M.K. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

Order
No.

ORDER
25.03.2026

01. 1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with Brahmagiri P.S. Case No.146 of 1993 corresponding to G.R. Case No.1022(A) of 1993 pending in the file of learned N.G.N., Brahmagiri on the grounds stated.
3. Perused the FIR as at Annexure-I. Recorded the submission of Mr. Sahoo, learned counsel for the petitioner, who appears through virtual mode. Referring to Annexure-II, a copy of the acquittal judgment in S.T. No.38/193 of 1997, it is submitted that the co-accused persons have been let off for the alleged incident. The submission is that the alleged incident is of the year 1993 and the petitioner had no knowledge with regard to issuance of NBWA by the learned court below at present pending execution and therefore, under the above



circumstances, and as in the meantime, 32 years have gone by, the petitioner should be allowed to go on bail with any conditions, which is objected to by learned counsel for the State referring to the FIR with the submission that he is responsible for the gunshot fire causing injury to one Nabin Biswal and therefore, not entitled to any such relief as has been pleaded. Though there has been an acquittal order i.e. Annexure-II and the incident is of the year 1993 but considering the specific allegation against the petitioner in the FIR, the Court is not inclined to allow him to go on bail but grants the liberty for him to surrender before the learned court below seeking regular bail for its consideration during the first hour and in case of rejection, to approach the Session Courts for orders.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioner surrenders within a fortnight from today and moves an application for regular bail, it shall be duly considered by learned N.G.N., Brahmagiri during the first hour and in the event of rejection, he shall approach the learned Sessions Court for orders on the same day during the second hour itself.

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

(R.K. Pattanaik)
Judge