



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1784 of 2026

Tilak Kumbhar & another **Petitioners**
Mr. I.A. Acharya, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. M.K. Mohanty, ASC
Mr. K.K. Patel, Advocate for the informant

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
15.04.2026

Order No.

02.

1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioners seeking pre-arrest bail in connection with Baragarh Town P.S. Case No.58 of 2026 corresponding to C.T. Case No.146 of 2026 pending in the court of learned S.D.J.M., Bargarh on the grounds stated.
3. Perused the FIR as at Annexure-1. The informant has filed an objection as at Flag-A and the same is gone through. The circumstances leading to the alleged incident stands narrated in the FIR. It is made to understand that one of the accused persons, namely, Ayush Kumbhar was under the influence of intoxication and thereafter, the petitioners arrived at the spot and committed the other mischief. It has been alleged by the informant that he was assaulted by the accused persons and caused him bleeding injuries. Recorded the submission of Mr. Acharya, learned counsel for the petitioners and Mr. Patel, learned counsel for the informant, who seriously



opposed release of the petitioners for the nature of allegations made in the FIR. The case diary is produced by learned counsel for the State and the same is also perused. This Court by order dated 25th March, 2026 had directed to the State to submit the medical examination report of the victim, which is produced today along with the case diary and the same is also gone through and it reveals that he received an incised wound and abrasion but both are stated to be simple in nature with an opinion therein that it might have been caused by a sharp cutting weapon and a blunt object respectively. The Court finds that the petitioners are young and committed the excess on the call of the co-accused, namely, Ayush Kumbhar. No doubt, the victim received a cut injury on the back but it has been stated to be not grievous. It is claimed that the petitioners do not have criminal track record, rather, are first-time offenders. Considering such submission as to absence of antecedents, recording the objection of Mr. Patel, learned counsel for the informant and State and having regard to the circumstances, under which the alleged incident took place suddenly at a restaurant apparently without any pre-meditation, this Court though not in favour of granting them pre-arrest bail but is of the view that the petitioners should be directed to surrender before the learned court below for being released with stringent conditions imposed.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL petition stands disposed of with a direction to the petitioners to surrender before learned S.D.J.M., Bargarh within a fortnight from today and in the



event, they surrender in compliance thereof, shall be released on bail in connection with C.T. Case No.146 of 2026 on furnishing a bail bond of Rs.40,000/- (rupees twenty thousand) each with one solvent surety for the like amount each to the satisfaction of the 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 commit any further mischief involving the informant, while on bail and to report the I.O. and to attend the P.S. once in a fortnight for the purpose of investigation, till it is over. It is further directed that the above order shall not be given effect to if any of the petitioners is having previous antecedent to be ascertained with an inquiry from the I.O. concerned.

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

(R.K. Pattanaik)
Judge

Balaram