



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1878 of 2026

Rajat Jena & others

....

Petitioners

Mr. D.P.Behera, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. S.Panda, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

07.04.2026

Order

No.

01.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioners in connection with Tihidi P.S. Case No. 258 of 2025 corresponding to G.R. Case No. 2548 of 2025 pending in the court of learned SDJM, Bhadrak on the grounds stated.
3. Perused the FIR as at Annexure-1. Mr. Behera, learned counsel for the petitioners submits that all the offences are bailable except one under Section(s) 118(1) and 74 BNSS. It is further submitted that the petitioners are entitled to go on bail considering the nature of allegations made in the F.I.R. i.e. Annexure-1 series as in course of the alleged incident they said to have assaulted by means of kicks and punch and abused the informant without causing any grievous injury to the



informant's son. Mr. Panda, learned ASC for the State seriously objects to the release of the petitioners on the ground that majority of them are having antecedents and while claiming so, he produced the case diary for the Court's perusal. Upon reading of the case diary, the Court finds that petitioner Nos.1,2,4,6 & 7 are having multiple criminal antecedents. In fact, one of them, namely, petitioner No.1 (Rajat Jena) is involved in six cases. The other two petitioners, namely, petitioner Nos. 3 & 5 are shown as having no antecedent considering the case diary produced by the State. Even though the alleged incident was reported, during and in course of which, the accused persons committed the overt acts with the claim that no grievous injury has been caused to the son of the informant but considering the injuries, such as, swelling and abrasions and there is a recommendation for X-ray with the injuries could be grievous, objection of the State and presence of the criminal antecedents against the above named petitioners, this Court is of the view that except petitioner Nos. 3 & 5, others are not entitled to bail. The Court is of the view that considering the criminal cases pending against the other petitioners, all of them should be directed to surrender before the learned court below seeking regular bail and in so far as petitioner Nos. 3 & 5 are concerned, they should instead be allowed to go on bail upon their surrender but subject to conditions, which are as follows.

4. Accordingly, it is ordered.



5. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, petitioner nos. 3 & 5 surrender before the court of learned SDJM, Bhadrak within a fortnight from today, it is directed that they shall be released on bail in connection with Tihidi P.S. Case No. 258 of 2025 corresponding to G.R. Case No. 2548 of 2025 on furnishing a bail bond of Rs.25,000/-(rupees twenty five thousand) each with one solvent surety for the like amount each with such other conditions imposed and as to petitioners Nos. 1,2,4,6 & 7, this Court directs them to surrender before the learned court below within the above stipulated period and to move applications for regular bail for being considered during the first hour and in the event of rejection, they shall have the liberty to approach the Sessions Court for orders on the same day during second hours itself and for the said purpose, relevant records shall be made available without delay.

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

(R.K. Pattanaik)
Judge

kabita

Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC, Cuttack
Date: 09-Apr-2026 15:38:29

