



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2308 of 2026

Sk. Rafik

....

Petitioner

Mr. Sambit Mohanty, Advocate
-versus-

State of Odisha

....

Opposite Party

Mr. Debaraj Mohanty, AGA

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

07.05.2026

Order No.

02.

1. Heard.

2. The petitioner is seeking pre-arrest bail in connection with Khuntuni P.S. Case No.33 of 2026 corresponding to C.T. Case No.99 of 2026 registered for alleged commission of offences punishable under Sections 111(2)/296/3(5) of the BNS, 2023 r/w Section 11(A) of the Prevention of Cruelty to Animals Act, 1960, pending in the Court of the learned S.D.J.M., Athagarh.

3. Learned counsel for the petitioner, on instruction from the petitioner, submits that except the present bail application, no other bail application of the petitioner is pending in any other Court relating to the aforesaid F.I.R.



4. The allegation against the petitioner is that on 03.02.2026 at about 3.15 A.M., when the Police officers were performing night patrolling duty near Champapur village, they received credible information about 4 to 5 persons were loading cattle without food and water in a cruelty manner at an isolated place. The police team immediately reached the spot and found some persons were loading cattle into a mini truck. On seeing the police team, the accused abused the officers and fled away to the nearby forest taking advantage of the darkness. During search, several cattle were found in poor health condition allegedly kept without food and water for a long time. Hence, the case.

5. Pursuant to the order dated 21.04.2026, learned counsel for the petitioner has filed the affidavit disclosing that the petitioner has four criminal antecedents.

6. In view of the above, since the petitioner is having four criminal antecedents, I am not inclined to entertain the present anticipatory bail application. However, it is kept open for the petitioner to surrender



before the trial Court and move for regular bail. If such regular bail application is moved by the petitioner before the trial Court, the same shall be considered by the Courts below on merit in accordance with law, on the same day.

7. With the aforementioned observation, the ABLAPL is disposed of.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified

Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 08-May-2026 13:26:49

