



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2965 of 2026

Surya Narayan Panda

....

Petitioner(s)

Mr. D.P. Dhal, Senior Advocate
-versus-

State of Odisha

....

Opposite Party(s)

Ms. Suvalaxmi Devi, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

23.04.2026

Order No.

01.

1. Heard.

2. The petitioner is seeking pre-arrest bail in connection with Berhampur Sadar P.S. Case No.16 of 2026 corresponding to G.R. Case No.50 of 2026 registered on the allegation of the commission of offences under Sections 85/61(2)/103(1)/351(2)/3(5) of B.N.S., pending in the Court of the learned JMFC (Rural), Cog., Berhampur.

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 case of the informant, as revealed from the FIR, in brief, is that in the year 2018, she was married to Ashok Kumar Panigrahi, and out of the wedlock, they were blessed with a girl child. It is alleged that since the date of her marriage, her in-laws had been attempting to separate her from her husband. As her husband was the sole legal heir of his parents, it is further alleged that they induced him into alcohol addiction. In the month of July, 2025, her in-laws, without informing her, admitted him to a de-addiction centre at Lathi. It is further alleged that her in-laws, in connivance with the present petitioner, brutally assaulted her husband and caused his death. After receiving the post-mortem report, the informant came to know that her husband had sustained nine injuries and that the cause of death due to ante-mortem injuries. When she questioned her in-laws in this regard, they allegedly threatened her with dire consequences. Hence, the FIR.

5. Mr. Dhal, learned Senior Counsel for the petitioner drawing my attention to the order dated



24.02.2026 passed by the learned 3rd Additional Sessions Judge, Berhampur granting regular bail to the co-accused person, Kanhu Charan Badatya, highlighted the following part of the said order-

“Perused the case record. On perusal, it is found that, the father of the deceased namely Sudarsan Panigrahi, his brother-in-law Susanta Kumar Sahu, his paternal uncle Prahallad Panigrahi and his sister Banita Kumar Panigrahi in their statements before the I.O. have categorically disclosed that the deceased in intoxicated state used to assault his father, mother and sister since long. Even, on the earlier occasion, he made suicide attempt. As per their statement, on twice occasions the deceased was admitted at drug de-addiction center at Bhubaneswar, but he managed to escape from that place.”

6. Mr. Dhal, learned Senior Counsel further submits that the case of the present petitioner stands on the same footing as he is the owner of the drug de-addiction centre where the incident appears to have taken place.

7. Ms. Suvalaxmi Devi, learned Additional Standing Counsel for the State, on the other hand, by drawing my attention to the statements of other



witnesses recorded under Section 161 Cr.P.C., vehemently opposed the prayer for bail.

8. Be that as it may, since the co-accused has already been admitted to regular bail, it would be appropriate that the petitioner surrenders before the learned trial Court and resort to the same remedy as has been availed by the co-accused. Accordingly, the petitioner is directed to surrender before the learned trial Court on or before 15th May, 2026 and move application for regular bail. It is open for the petitioner to raise all the grounds as has been raised in the present petition including the ground of parity. If the petitioner surrenders and move application, the same shall be considered by the learned trial Court on the same day.

9. With this observation, the ABLAPL is disposed of.

(S.S. Mishra)
Judge

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Date: 25-Apr-2026 13:52:01

