



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 3109 of 2025

Taraprasad Behera ***Petitioner***

Mr. L. Achari, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.K. Lenka, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
25.03.2025

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is seeking pre-arrest bail in connection with G.R. Case No.434 of 2025 pending on the file of learned S.D.J.M., Bhanjanagar, Dist-Ganjam arising out of Bhanjanagar P.S. Case No.237 of 2025 for commission of offences punishable under Sections 115(2)/126(2)/3(5)/351(3)/109 of BNS.
3. It is submitted by the learned counsel for the Petitioner that taking into account the nature of allegations and the counter FIR, exaggerated allegations have been made. Hence, Petitioner may be protected by pre-arrest bail.



4. Learned counsel for the State opposes such prayer referring to the case diary and the statement of the complainant.

5. Considering the criminal antecedent of Petitioner, this Court is not inclined to entertain their application for pre-arrest bail. However, it is directed that Petitioner may surrender before the learned S.D.J.M., Bhanjanagar, Dist-Ganjam in connection with the aforementioned case within one month from today.

6. In the event of his surrender and motion for bail, the application for bail shall be considered by the learned S.D.J.M., Bhanjanagar, Dist-Ganjam on merits in accordance with law in the first hour of the day. In the event of rejection of the prayer for bail by the learned S.D.J.M., Bhanjanagar, Dist-Ganjam, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

7. On being so moved, the higher forum shall dispose of the bail application of the Petitioner on the same day on merit in accordance with law. In that event, the case diary be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner and S.D.J.M., Bhanjanagar, Dist-Ganjam is called upon to transmit the case record to the higher forum in the second



hour in the event of rejection of the bail application by him.

8. Ground of parity, if any, may be considered by the learned court below if the same is canvassed by the learned counsel for the Petitioner at the time of consideration of the bail application.

9. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Santoshi

Signature Not Verified

Digitally Signed
Signed by: SANTOSHI LENKA
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 27-Mar-2025 10:50:24

