



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3372 of 2026

Babuli Swain @ **Petitioner(s)**
Sudarshan Swain

Mr. Achyutananda Pattanaik, Advocate
-versus-

State of Odisha **Opposite Party(s)**

Mr. Debaraj Mohanty, AGA

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER

05.05.2026

Order No.

02.

1. Heard.

2. The petitioner is seeking pre-arrest bail in connection with Air Field P.S. Case No.141 of 2004 corresponding to G.R. Case No.3556 of 2004 registered for alleged commission of offences punishable under Sections 341/323/324/307/294/506/34 of IPC, pending in the Court of the learned J.M.F.C.-I, Bhubaneswar.

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, there was land dispute between the informant and the present petitioner. On 26.10.2004 at about 10 P.M., when the informant was returning from the OMFED shop situated at Ekamra College, on the way, in front of Ekamra College, four unknown persons came with two motorcycles. Out of them, one person assaulted the informant by means of lathi and bhujali, as a result of which he sustained bleeding injury on his hand. When the informant shouted, the accused persons fled away by threatening to kill him. Hence, the case.

5. Learned counsel for the petitioner has filed an additional affidavit inter-alia stating that the charge sheet in this case has already been filed on 25.06.2005. Although the F.I.R. was registered on 26.10.2004, but in the F.I.R., the name of the petitioner was mentioned as Babuli Swain, son of Bhaskar Swain and the address was also incomplete. However, in the charge sheet, the name of the father of the petitioner has been mentioned as Pravakar Swain. Due to the aforementioned confusion in the address and the



father's name of the petitioner, it appears he could not be traced by the police and he was shown as absconder.

6. Learned counsel for the State has pointed out that the injury sustained by the injured is simple in nature.

7. Taking into consideration the aforementioned, the petitioner is entitled to grant of anticipatory bail, however, with condition that he shall appear before the concerned Court without fail on the next date of hearing. In the event of his failure to appear before the concerned Court by moving appropriate application, the concession of anticipatory bail granted by this Court shall be withdrawn.

8. The ABLAPL is disposed of. No coercive action shall be taken against the petitioner till he appears before the court below. This order is passed keeping in view the peculiarity of this case, particularly due to long pendency of the case.

(S.S. Mishra)
Judge