



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2025 of 2026

Deepak Naik & another **Petitioners**

Mr. L.G. Moharana, Advocate

-Versus-

State of Odisha **Opposite Party**

Mr. S.K. Lenka, ASC

ABLAPL No.2471 of 2026

Santosh Kumar Behera **Petitioner**

Mr. L.G. Moharana, Advocate

-Versus-

State of Odisha **Opposite Party**

Mr. S.K. Lenka, ASC

ABLAPL No.2473 of 2026

Biswajit Mallik **Petitioner**

Mr. L.G. Moharana, Advocate

-Versus-

State of Odisha **Opposite Party**

Mr. S.K. Lenka, ASC

And

ABLAPL No.3915 of 2026

Aruna Kumar Jena & others **Petitioners**

Mr. K.C. Tripathy, Advocate

-Versus-

State of Odisha **Opposite Party**

Mr. S.K. Lenka, ASC



CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
07.05.2026

Order No.
02.

1. All the ABLAPLs are disposed of by the following common order.
2. Heard learned counsels for the petitioners and State.
3. Instant petitions under Section 482 BNSS are filed for pre-arrest bail of the petitioners in connection with Dhenkanal P.S. Case No.48 of 2026 corresponding to G.R. Case No.197 of 2026 pending in the file of learned S.D.J.M.-cum-Civil Judge (Junior Division), Dhenkanal on the grounds stated therein.
4. It is submitted to the Court that the names of the petitioners in ABLAPL No.2025 of 2026 are not mentioned in the FIR and also another accused, namely, Biswajit Mallik in ABLAPL No.2473 of 2026. It is further submitted that the gunshot fire is at the instance of one Biswajit Behera @ Beda and considering the same, the petitioners should be allowed to go on bail with conditions. It is stated that some of the petitioners do not have any antecedents, hence, they are entitled to release. The case diary is submitted to this Court by Mr. Lenka, learned ASC for the State and the same is gone through. Recorded the objection of the State referring to the statements of the witnesses recorded under Section 180 BNSS with the claim that the accused persons participated in the alleged assault causing grievous injury and while stating so, Mr. Lenka, learned ASC refers to the medical examination report of one Dipun Pradhan and therefore, the petitioners should not be



granted bail. Perused the case diary and also the statements of the witnesses recorded during investigation. Apart from the same, the accused persons nearly 10 to 12 others committed the overt acts being armed with Sword, Bhujali etc. as disclosed by the witnesses examined under Section 180 BNSS. The persons otherwise named by some of the witnesses or any of them named in the FIR and whether they are involved in the alleged assault cannot be entertained at this stage when there has been participation of nearly 30 persons in the assault of the victim. It is informed to the Court that investigation is still underway. Admittedly, on perusal of the medical examination report, this Court finds that the victim received grievous injury on account of assault. The details of the injury have been mentioned in the medical examination report and the same is also gone through. Considering the circumstances leading to the alleged assault, the involvement of the accused persons named with others, this Court is not inclined to entertain any such bail plea, however, grants liberty to them to surrender before the learned court below seeking regular bail. Any such plea of not being a party to the assault but named in the FIR with a mistaken identity of one Biswajit Mallik allegedly named therein as Biswajit Behera @ Beda, the Court is of the view that the learned court below upon surrender is required to examine it and also to pass appropriate order with an enquiry held in that regard.

5. Accordingly, it is ordered.

6. In the result, the ABLAPLs stand disposed of with the directions as aforesaid. It is further directed that in the event, the petitioners surrender before the learned S.D.J.M.-cum-Civil Judge (Junior Division), Dhenkanal in connection with



Dhenkanal P.S. Case No.48 of 2026 corresponding to G.R. Case No.197 of 2026 within a period of three weeks from today and move an application for regular bail, it shall be entertained and disposed of considering all such pleas advanced at present.

7. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok

Signature Not Verified

Digitally Signed
Signed by: ALOK RANJAN SETHY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 11-May-2026 11:44:13

