



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 4159 of 2026

Bikash Naik

.... ***Petitioner***

Mr. A.K. Das, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. M.R. Mohanty, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

01.05.2026

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.341(A) of 2023 pending on the file of learned J.M.F.C(C.T), Dhenkanal, arising out of Motanga P.S. Case No.242 of 2023 for commission of offences punishable under Sections 395/ 412 of I.P.C.
3. The allegations against the Petitioner runs thus:

On 9.9.2023, at about 6PM, when the informant was returning to his home near Gaudkatani College some unknown persons wrongfully restrained him and assaulted him with a bhujali, then they snatched his Activa Scooty along with its documents and cash amounting to Rs.5000/-.



4. it is submitted by the learned counsel that taking into account the nature of allegations, he may be released on pre-arrest bail, more so since this Court by order dated 23.07.2024 disposed of bail application of another co-accused (Ajit Naik) in ABLAPL No.7186 of 2024 granting him liberty to move the Courts below seeking pre-arrest bail.

5. Learned counsel for the State opposes the prayer for pre-arrest bail, inter alia, on the ground of criminal antecedent of the Petitioner, which runs thus:

“(1) Motanga PS case No.(1), 33/2024, st.28.01.2024,U/S-147/ 148/ 149/ 294/ 307/ 323/ 341/ 506 IPC/R.W sec 25/27 Arms Act.

(2) Motanga PS case No. 36/2024,dt.31.01.2024,U/S-147/ 148/ 149/ 294/ 307/ 341/ 379/ 427/ 452/ 506 IPC/r.w sec 25(1-B)(a)/27 Arms Act.

(3) Motanga PS case No.242/2023, st. 10.09.2023, U/S-395/412 IPC.”

6. There is no reference in the order of this Court in ABLAPL No.7186 of 2024 to the criminal antecedents of the co-accused.

7. Considering the nature of allegations and criminal antecedent, this Court is not inclined to entertain the application for pre-arrest bail. However, in the event the Petitioner surrenders before the learned Court in seisin and moves an application for his release on bail, the



same shall be considered on its own merit. Ground of parity, if any, may be considered by the learned Court (s) in seisin.

8. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Soumya