



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4389 of 2026

Susanta Kumar Das & another Petitioners

Mr. S.R. Mulia, Advocate & Associates

-Versus-

State of Odisha Opposite Party

Mrs. S.Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

04.05.2026

Order No.

01.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioners in connection with Jagatpur P.S. Case No.144 of 2026 pending in the file of learned J.M.F.C. (R), Cuttack corresponding to G.R. Case No.344 of 2026 on the grounds stated.
3. Perused the F.I.R. as at Annexures-1. It is submitted that there is a counter F.I.R. lodged from the side of the petitioners as per Annexure-2. But the Court finds both the incidents are different leading to the lodging of the F.I.R.s by the parties. The incident is reported after inordinate delay. In fact, the informant was released after the alleged incident of kidnapping. Since the informant received injuries as a result of the assault during the alleged incident there was delay in lodging of the F.I.R. and such is the reason assigned by him therein. itself. It is claimed that petitioner No.1 was having one



antecedent wherein he has been acquitted of the alleged offences not similar in nature. Recorded the objection of the State. Considering the above facts and the fact that the incident has been reported long after, without expressing anything on the merits of the case and the reason assigned by the informant towards the delay, this Court is of the view that the petitioners are though not entitled to pre-arrest bail but instead should be allowed to surrender before the learned court below for being released with stringent conditions imposed recording the claim that petitioner No.2 is having no antecedent, whereas, there is an acquittal order vis-a-vis petitioner No.1 for an offence punishable under Section 301 IPC and accordingly, it is ordered.

4. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioners surrender before the court of learned J.M.F.C. (R), Cuttack within a fortnight from today, it is directed that they shall be released on bail in connection with Jagatpur P.S. Case No.144 of 2026 corresponding to corresponding to G.R. Case No.344 of 2026 on furnishing a bail bond of Rs.25,000/-(rupees twenty five thousand) each with one solvent surety for the like amount each with other conditions imposed by the court concerned as deemed just and proper in the facts and circumstances of the case and subject to verification on the claim of antecedent.

Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC, Cuttack
Date: 06-May-2026 13:52:56



Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

kabita