



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4797 of 2026

Jagabandhu Nayak & Ors.

.....

Petitioners

Represented by Adv. -
Amitav Tripathy

-versus-

state of odisha

.....

Opposite Parties

Represented by Adv. –
S.K. Parhi, A.S.C.

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

04.05.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Additional Standing Counsel for the State. Perused the Anticipatory Bail Application as well as the F.I.R.
3. This is an application under Section 438 of the Cr.P.C filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341/323/324/326/307/34 of the IPC in G.R. Case No.98 of 2017 in the Court of learned J.M.F.C., Bhapur arising out of Fategarh P.S. Case No.45 of 2017.
4. It is stated by learned counsel for the Petitioners that in the meantime the dispute has been amicably settled between the parties and the terms of compromise has already been recorded between the parties.



5. Taking into consideration the nature and gravity of the allegation, on the request of learned counsel for the Petitioners, the Petitioners are permitted to surrender before the learned court in seisin over the matter in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider their application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioners may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioners the same day strictly on the basis of the materials on record, by maintaining the principles of parity, if applicable.

6. The case diary be made available on the date of surrender on an application being filed by the Petitioners prior to their date of surrender as well as any affidavit being filed by the Petitioners along with a copy of today's order. Records be transmitted to the higher forum at the cost of the Petitioners, if applied for.

7. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 07-May-2026 11:32:32

