



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4960 of 2026

Akura Bagartti

.... **Petitioner**

Mr. S.K.Joshi, Advocate

-Versus-

State of Odisha

.... **Opposite Party**

Mr. M. K.Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIAK

ORDER

07.05.2026

Order

No.

01.

1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioner seeking pre-arrest bail in connection with Muribahal P.S. Case No. 0211 of 2025 corresponding to G.R. Case No.201 of 2025 pending in the court of learned JMFC, Muribahal, Dist-Bolangir on the grounds stated.
3. Perused the FIR as at Annexure-1 and also the post-mortem report i.e. Annexure-2. Mr. Joshi, learned counsel for the petitioner submits that the principal accused is already on bail by the order of the learned Additional Sessions Judge, Titilagarh in BLAPL No. 15 of 2026 dated 24th February, 2026. It is submitted that the petitioner is, therefore, entitled to bail and that apart, the case has turned to one under Sections 318(2), 143(3) and 146 BNS with the offence punishable under Section 103(1) BNS having been ruled out. A copy of the order



dated 3rd February, 2026 of the learned JMFC, Muribahal is also submitted by Mr. Joshi, learned counsel for the petitioner. It is further submitted that the death of the deceased is on account of drowning revealed from the post-mortem report i.e. Annexure-2 and therefore, considering the above facts, the petitioner should be allowed to go on bail. Recorded the objection of the State. In fact, Mr. Mohanty, learned ASC for the State requested for an adjournment to collect the case diary and other police papers but since the death is by drowning revealed from the post-mortem report i.e. Annexure-2 and that the offence under Section 103(1) BNS is not made out in view of the order dated 3rd February, 2026 of the learned court below with the release of the principal accused in the meantime vide BLAPL No. 15 of 2026 by the order of learned Additional Sessions Judge, Titilagarh, this Court is inclined to direct the petitioner to surrender before the court below for being released with the following conditions even though the case for pre-arrest bail is not entertained, furthermore when, he has no other antecedent so claimed today.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. It is directed that in the event, the petitioner surrenders before the learned JMFC, Muribahal, Bolangir in connection with Muribahal P.S. Case No. 0211 of 2025 corresponding to G.R. Case No.201 of 2025 within a fortnight from today, he shall be released on bail upon furnishing a bail bond of Rs.20,000/-(rupees twenty thousand)



with one solvent surety for the like amount with such other conditions imposed besides the following, such as, he shall co-operate the IO in the investigation without default.

6. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

kabita

Signature Not Verified

Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC, Cuttack
Date: 11-May-2026 17:14:45

