



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4994 of 2026

Aktar Ali Shah @ Gulam & another **Petitioners**

Mr. S. Mishra, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC

And

ABLAPL No.4996 of 2026

Sarafat Alli Saha @ Gousi **Petitioner**
Mr. S. Mishra, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

06.05.2026

**Order
No.**

01. 1. Both the ABLAPLs are taken up together and disposed of by the following common order.
2. Heard learned counsel for the petitioners and State.
3. Instant petitions have been filed under Section 482 BNSS by the petitioners seeking pre-arrest bail in connection with Delanga P.S. Case No.103 of 2026 corresponding to G.R. Case No.325 of 2026 pending in the file of learned J.M.F.C., Pipili on the grounds stated.
4. Perused the FIR as at Annexure-1. Recorded the submission of learned counsel for the respective parties. Mr.



Biswajit Ranjan Tripathy, learned counsel appears for the informant and files the Vakalatnama today and the same is taken on record. The name of Mr. Tripathy, learned counsel be reflected in the order and the record. It is submitted by learned counsel for the petitioners that one of them is a juvenile in ABLAPL No.4996 of 2026. It is further submitted that the sons of the principal accused have been implicated without their involvement in the alleged incident, hence, are to be released on bail with conditions which is seriously opposed by Mr. Tripathy, learned counsel for the informant referring to the photograph of the injured with head injury shown. It is further submitted that the injured was admitted in Utkal Hospital at Bhubaneswar. A copy of the CT scan of the injured is produced by Mr. Tripathy, learned counsel at the time of hearing. It is claimed that the injury on the head of the victim is grievous. Recorded the objection of Mr. Panda, learned ASC for the State as well. Considering the circumstances under which the alleged occurrence took place and arrest of the father accused, namely, Aktar Ali Shah who said to be in judicial custody at present, this Court is not inclined to consider bail plea of the petitioners in ABLAPL No.4994 of 2026, however, directing release of the juvenile accused in ABLAPL No.4996 of 2026 subject to conditions, though, not inclined to entertain his bail plea.

5. Accordingly, it is ordered.

6. In the result, the ABLAPLs are disposed of with the direction as aforesaid. It is directed that in the event, the petitioners in ABLAPL No.4994 of 2026 surrender before the court of learned J.M.F.C., Pipili within a fortnight from today



in connection with G.R. Case No.325 of 2026 corresponding to Delanga P.S. Case No.103 of 2026 seeking regular bail, upon receiving their application in that regard, it shall be disposed of and in case of rejection to approach the Sessions Court. Such bail plea of the petitioners, as further directed, shall be considered taking into the injury received by the victim calling upon the medical examination report. As regards, the co-accused, namely, Sarafat Alli Saha @ Gousi in ABLAPL No.4996 of 2026 he shall be released by the court below upon his surrender within the above stipulated period subject to conditions. It is also directed that the age of the petitioner claimed to be juvenile shall be enquired into by the court below and in case found to be below 18 years, the case record shall be transmitted to the Children's Court for further orders.

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

(R.K. Pattanaik)
Judge

TUDU

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC
Date: 08-May-2026 19:58:26

