



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4955 of 2026

Dukha Martha @ Dukhishyam **Petitioner**
Martha

Mr. J. Sahoo, Advocate

-Versus-

State of Odisha **Opposite Party**

Mr. S.K. Lenka, ASC

Mr. R.R. Mishra, Advocate for Informant

CORAM:

MR. JUSTICE R.K. PATTANAIK

Order

No.

01.

ORDER

05.05.2026

1. Heard learned counsel for the petitioner and State.
2. Instant petition has been filed under Section 482 BNSS by the petitioner seeking pre-arrest bail in connection with Sahidnagar P.S. Case No.25 of 2026 corresponding to C.T. Case No.66 of 2026 pending in the file of learned J.M.F.C.-III, Bhubaneswar on the grounds stated.
3. Perused the FIR as at Annexures-1 and 2 series. It is submitted by Mr. Sahoo, learned counsel for the petitioner that the FIR at Annexure-2 series was lodged in 2022 with similar allegations made and it has been followed by the second one dated 14th January, 2026. The further submission is that some of the accused persons are on bail at present. With such submissions, Mr. Sahoo, learned counsel pleads for release of the petitioner as well which is seriously objected to by Mr. Mishra, learned counsel for the informant with the claim that the vehicle has been disposed of at the instance of the accused persons and sold with fake RCs. Recorded the submission of



learned counsel for the State. The details of the allegations are revealed in the FIR i.e. Annexure-1. The Court finds that the earlier FIR was lodged as a result Sahid Nagar P.S. Case No.500 dated 21st October, 2022 was registered under Sections 365 and 379 read with 34 IPC, whereas, the present one is lodged with the allegation of cheating and fraud. Considering the facts pleaded on record and submissions of learned counsel for the respective parties and the nature of mischief allegedly committed by the accused persons as made to reveal from Annexure-1, this Court is not inclined to entertain the bail plea of the petitioner, who should however be granted the liberty to surrender before the learned court below seeking regular bail and accordingly, it is ordered.

4. In the result, the ABLAPL is disposed of with the liberty in favour of the petitioner to surrender before the learned J.M.F.C.-III, Bhubaneswar within a fortnight from today and in the event, he moves an application for regular bail, it shall be entertained in connection with C.T. Case No.66 of 2026 corresponding to Sahidnagar P.S. Case No.25 of 2026 and disposed of during the first hour and in case rejected, he shall approach the Sessions Court for orders on the same day considering his plea of parity on merit and for the said purpose, the lower court record shall be made available at the time of hearing.

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

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC TUDU
Date: 08-May-2026 12:27:44



(R.K. Pattanaik)
Judge