



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5019 of 2026

Kanhu Charan Behera & Anr. **Petitioners**
Mr. M.K. Biswal, Advocate
-Versus-
State of Odisha **Opposite Party**
Mr. M.K. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
06.05.2026

Order No.

01.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioners in connection with Basudebpur P.S. Case No.218 of 2026 corresponding to G.R. Case No.416 of 2026 pending in the file of learned J.M.F.C., Basudebpur, Bhadrak on the grounds stated therein.
3. Perused the FIR as at Annexure-1. It is submitted that no serious injury has been caused to the victim, namely, R.I., who was engaged for demarcation at the relevant point of time. It is further submitted that the allegations regarding assault in the FIR are not correct and considering the circumstances under which the alleged incident took place, the petitioners having no antecedents should be allowed to go on bail with conditions. Recorded the objection of learned counsel for the State with reference to the FIR. The report reveals overt acts having been committed by the petitioners and it has been reported by the RI leading to the lodging of the same by the informant. The Court finds that the excess has been committed at the time of



demarcation. Considering the FIR, this Court recording the plea that the petitioners do not have antecedents and there is no serious injury received by the concerned R.I. who said to have been assaulted, this Court is inclined to direct the petitioners, one of whom is a lady and wife of petitioner No.1, should be directed to surrender before the learned court below for being released with conditions.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL petition stands disposed of with a direction to the petitioners to surrender before learned J.M.F.C., Basudebpur, Bhadrak within a fortnight from today and in the event, they surrender in compliance thereof, shall be released on bail in connection with G.R. Case No.416 of 2026 arising out of Basudebpur P.S. Case No.218 of 2026 on furnishing a bail bond of Rs.20,000/- (rupees twenty thousand) each with one solvent surety for the like amount each to the satisfaction of the court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, they shall cooperate the I.O. in the investigation and not to pick up any quarrel and cause any harm to the R.I. while on bail. The above order, as is further directed, shall not be given effect to if the concerned RI received any grievous injury for the mischief committed by the petitioners.

6. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Designation: PERSONAL ASSISTANT
Reason: Authentication
Location: OHC, CUTTACK
Date: 08-May-2026 14:13:07

