



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6071 of 2025

Banchhanidhi Bishoi & Others Petitioners

Mr. T.J. Pani, Advocate

-versus-

State of Odisha Opp. Party

Mr. Manoj Kumar Mohanty, ASC

CORAM:

HON'BLE MR. JUSTICE ANANDA CHANDRA BEHERA

**Order
No.**

**ORDER
30.05.2025**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This ABLAPL under Section 482 of the BNS, 2023 has arisen out of G.R. Case No.138 of 2025 in connection with Nikirei P.S. Case No.94 of 2025 pending in the court of learned J.M.F.C.(CT), Cuttack, for the offences under Sections 115(2)/331(2)/296/74/302(2)/85/3(5) of BNS, 2023.
3. The petitioners have approached this Court praying for their pre arrest bail apprehending their arrest in respect of non-bailable offences under Sections 115(2)/331(2)/296/74/302(2)/85/3(5) of BNS, 2023.
4. I have already heard from the learned counsel for the petitioner and the learned ASC for the State.
5. When, the petitioners are apprehending their



arrest in respect of a non-bailable offence under Sections 115(2)/331(2)/296/74/302(2)/85/3(5) of BNS, 2023 and when the provided punishment for the said offences are less than 7 years, then, at this juncture, it is felt proper to dispose of this ABLAPL filed by the petitioners finally giving a direction to the I.O. of Nikirei P.S. Case 94 of 2025 to follow the procedures contemplated under section 35 of the BNS, 2023 corresponding to Section 41A and the guidelines formulated by the Apex Court in the decision reported in **2014 (8) SCC 273:Arnesh Kumar Vs. State of Bihar and Another** strictly.

Accordingly, this ABAPL is disposed of finally.

Urgent certified copy of this order be granted on proper application.

(Ananda Chandra Behera)
Vacation Judge

Signature Not Verified

Digitally Signed
Signed by: AMIT KUMAR MOHANTY
Reason: Authentication
Location: ORISSA HIGH COURT CUTTACK
Date: 02-Jun-2025 10:13:02
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