



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 6364 of 2025

Subhakanta Nayak

....

Petitioner

Mr. P.K. Mishra, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr. M.K. Mohanty, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

26.02.2026

**Order
No.**

03.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with G.R. Case No.994 of 2024 pending in the file of learned SDJM, Kamakhyanagar arising out of Kamakhyanagar P.S. Case No.530 of 2024 on the grounds stated.
3. Perused the FIR as at Annexure-1. Pursuant to the Court's order dated 19th February, 2026, an affidavit is filed by the petitioner stating therein the details of the criminal cases registered against him. In fact, such filing of affidavit was directed in view of the earlier rejection order dated 17th March, 2025 in ABLAPL No.12227 of 2025, wherein, the criminal antecedents and the details of the same are mentioned.
4. According to Mr. Mishra, learned counsel for the petitioner, the chargesheet was filed soon after the rejection



order in the ABLAPL. A copy of the chargesheet dated 22nd May, 2025 is produced in the Court at the time of hearing to claim that it was filed later to the order in the ABLAPL dated 17th March, 2025. As to the affidavit, it has been stated therein that in three of the cases, such as, Kamakhyanagar P.S. Case Nos.174 dated 29th November, 2010; 36 dated 25th March, 2012; and 228 31st December, 2013, the petitioner has been acquitted, whereas, the other one in Kamakhyanagar P.S. Case No.238 dated 13th April, 2024, the same is pending disposal. Mr. Mishra, learned counsel for the petitioner would submit that petitioner even though was not granted pre-arrest bail should be directed to be released on bail upon his surrender before the learned court below in view of the changed circumstances with the filing of chargesheet in the meantime with the submission that the victim received lacerated injuries and all are simple in nature. A copy of the medical examination report of the victim is also produced for the Court's perusal.

5. Recorded the objection of the State.

6. Learned counsel for the State submits that admittedly injuries are simple in nature but the petitioner's bail plea was rejected once, hence, not to be reconsidered. But, having regard to the fact that the alleged incident is of the year 2024 and after rejection order in the ABLAPL, the chargesheet was filed as earlier stated and out of the criminal cases, in three, according to the affidavit, he has been acquitted and one more is pending besides the present, this Court, under the above changed



circumstances and considering the fact that the injuries are simple, is inclined to direct the petitioner to surrender before the learned court below to go on bail with stringent conditions instead of accepting his plea for pre-arrest bail, as is demanded.

7. Accordingly, it is ordered.

8. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioner surrenders before the court of learned SDJM, Kamakhyanagar in connection with G.R. Case No.994 of 2024 corresponding to Kamakhyanagar P.S. Case No.530 of 2024, it is directed that he shall be released on bail upon furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) with one solvent surety for the like amount with such other conditions imposed as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall not be involved in any such similar criminal activates after being released and not to cause any harm to the informant in any manner, whatsoever, while on bail.

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

(R.K. Pattanaik)
Judge