



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL NO.5662 of 2026

(In the matter of application under Section 483 of
BNSS, 2023).

Abhijit Rout @ Pinku ... ***Petitioner***

-versus-

State of Orissa ... ***Opposite Party***

For Petitioner : ***Mr. B.B. Routray, Advocate***

For Opposite Party : ***Mr. M.R. Patra, Addl. PP***

CORAM: JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT:14.07.2026(ORAL)

G. Satapathy, J.

1. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Cyber Crime & Economic Offences PS Case No.05 of 2026 corresponding to GR Case No.39 of 2026 pending in the file of learned JMFC-I, Cuttack for commission of offences punishable U/Ss. 318(4)/319(2)/338/336(3)/340(2)/112/61 (2) of B.N.S, 2023 and sections-66C and 66D of I.T Act.

2. The gist of the allegation against the petitioner is for opening up fake business accounts by using mobile phones, debit cards and other electronic



instruments of some persons without their knowledge and subsequently, using such mule bank accounts for transfer of illegal funds through multiple bank accounts transactions. On this issue, an FIR was lodged and registered in Cyber Crime & Economic Offences, UPD Cuttack vide FIR No.05 of 2026 and finding the involvement of the petitioner, he was taken into custody ultimately landing him in this Court in this bail application.

3. Heard, Mr. Binaya Bhusan Routray, learned counsel for the Petitioner and Mr. M.R. Patra, learned Addl. PP in the matter and perused the record.

4. The Petitioner has in fact taken the ground of non-compliance of Sec. 47 of BNSS as a ground for grant of bail and in response to such plea, the Arresting Officer has filed an affidavit enclosing two documents under Annexures-A/1 & A/2, however, Annexure-A/2 is stated to be the "grounds of arrest" communicated to the petitioner in writing and the said document discloses the grounds of arrest as under:-



"Grounds of Arrest

That Federal Bank A/c No. 99980123411469 standing in your name was used to route approximately Rs. 1.30 Crore derived from cyber fraud complaints.

That you opened the said account through co-accused Bablu Nayak, Bhabani Shankar Prusty, and knowingly permitted its use for fraudulent online transactions in consideration of monetary gain.

The relevant digital banking information and linked mobile details were found in your seized device.

Your arrest is necessary to prevent interference with evidence and to facilitate effective investigation. "

5. Further, the aforesaid document under Annexure-A/2 bears the signatures of the Petitioner and the Arresting Officer in English. It is submitted during the course of argument that the Petitioner is a student, however, it is not brought on record or submitted that the Petitioner does not know English Language. Law on this point is very clear that the arrestee must be informed/communicated with the grounds of arrest in writing in the language he understands and thereby, this Court does not find any non-compliance of Sec. 47 of BNSS. No doubt, the learned counsel for the Petitioner has relied upon the judgment of this Court



passed in BLAPL No. 1474 of 2026 and four bail applications for grant of bail to co-accused persons for non-compliance of Sec. 47 of BNSS, but this Court has granted bail to the said co-accused persons for violation of compliance of the provision of Sec. 47 of BNSS, but the present case demonstrates compliance of Sec. 47 of BNSS and, therefore, the plea as advanced for the Petitioner merits no consideration and the same is liable to be rejected.

6. Even otherwise on merit, it is alleged that the Petitioner's account has been used to route approximately Rs. 1.30 Crores as a proceeds of cyber fraud, but there is no plausible explanation by the Petitioner as to how such amount has been routed through his account. The allegation against the Petitioner also suggests that he is allegedly involved in this case, but one of the important factors that is to be required to be considered is that a number of co-accused persons have already been granted bail. Existence of prima facie case does not disentitle a



person to bail and even there is prima facie case against an accused person, he still can be admitted to bail, if the situation so demands. Further, it is not in dispute that charge sheet has already been submitted, but the Petitioner is in custody since 17.02.2026 and no fruitful purpose would be served by keeping a person in confinement because a number of co-accused persons who were alleged to have committed the offences have already been admitted to bail. In the aforesaid facts and circumstances and considering about grant of bail to similarly situated co-accused persons, this Court without expressing any view on merits admits the Petitioner to bail.

7. Hence, the bail application of the Petitioner stands allowed and he is allowed to go on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) only with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it.



8. Accordingly, the BLAPL stands disposed of. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

*Orissa High Court, Cuttack,
Dated the 14th July, 2026/Priyajit*