



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.6598 of 2026**

**1. Karunakar Mangal**

**2. Hemanta Mangal**

**3. Bishnpada Sahu @**

**Bishnu Sahu**

**4. Sanjay Sahu**

....

**Petitioners**

Mr. J.K. Majhi, Advocate

-versus-

**State of Odisha**

....

**Opposite Party**

Mr. C. Mohanty, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**17.06.2026**

**Order No.**

- 01.** 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are seeking pre-arrest bail in connection with C.T. Case No.726 of 2026 pending on the file of learned J.M.F.C. Basta, arising out of Baliapal P.S. Case No.259 of 2026, for commission of offences punishable under Sections 303(2)/3(5) of BNS read with Section 12 of the Orissa Mines and Mineral (Prevention of Theft Smugg. Activities) Act, 1989.
3. The case of the prosecution is that on 29.05.26 the informant reported that on receiving



several complaints and grievance petition from local villagers alleging rampant illegal extraction, and transportation of sand from Subarnarekha river bed, a raid was conducted with Police personnel with Baliapal Tahasil and mining department on 25.05.26. During the raid, one excavator machine bearing Regd. No OD 01-AZ- 8152 was seized at Badakhanpur. It was further alleged that such illegal activities were continuing in the riverbed, posing serious threats to the lives, safety and property of local villagers. The accused persons namely, Karunakar Mangal S/o- Bcnudhar Mangal, Hemanta Mangal S/o-Anirudha Mangal, Bishnupada Sahu S/o-Srustidhar Sahu and Sanjay Sahu S/o-Smstidhar Sahu all are of vill/PO-Badhupal PS Baliapal Dist Balasore were involved for illegal extraction and transportation of minor mineral regularly. Basing on such report, the aforementioned P.S. case was registered.

4. Learned counsel for the State opposes the prayer for pre-arrest bail.

5. Taking into account the nature of allegations and the Petitioners 2 and 4 (Hemanta Mangal, Sanjay Sahu) have no criminal proclivity, it is directed that on surrendering within three weeks



hence and moving for bail, the Petitioners 2 and 4 (Hemanta Mangal, Sanjay Sahu) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

6. So far as the Petitioner Nos.1 and 3 (Karunakar Mangal, Bishnpada Sahu @ Bishnu Sahu) are concerned, taking into account the nature of allegations, this Court is not inclined to entertain the application for pre-arrest bail in respect of Petitioner Nos.1 and 3 (Karunakar Mangal, Bishnpada Sahu @ Bishnu Sahu). However, it is directed that the Petitioner Nos.1 and 3 (Karunakar Mangal, Bishnpada Sahu @ Bishnu Sahu) may surrender before the learned J.M.F.C. Basta in connection with the aforementioned case within one month from today.

In the event of their surrender and motion for bail, the same be considered by the learned J.M.F.C. Basta on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned J.M.F.C. Basta, the Petitioner Nos.1 and 3 (Karunakar Mangal, Bishnpada Sahu @



Bishnu Sahu) is at liberty to move the higher forum for bail in the second hour on the same day.

7. On being so moved, the higher forum is requested to make an endeavour to dispose of the bail application of the Petitioner Nos.1 and 3 (Karunakar Mangal, Bishnpada Sahu @ Bishnu Sahu) on the same day on merit in accordance with law. `

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner Nos.1 and 3 (Karunakar Mangal, Bishnpada Sahu @ Bishnu Sahu) and learned J.M.F.C. Basta is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

Ground of Parity, if any, may be considered by the learned court (s) below.

8. Accordingly, the ABLAPL stands disposed of. U.C.C. as per rules.

**(V. Narasingh)**  
**Vacation Judge**

*Soumya*