



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.6742 of 2026

1) Siva Prasad Nayak **Petitioners**
2) Shreedhar Nayak
3) Urmila Nayak
4) Rosalin @ Rosaleen Nayak
Represented by Adv. -
Manoranjan Khatua

-versus-

State Of Odisha **Opposite Parties**
Represented by Adv. -
C.M. Singh, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
19.06.2026

Order No.

01.

1. This matter is taken up through Virtual Mode.
2. Heard learned counsel for the Petitioners and learned Additional Standing Counsel for the State. Perused the Anticipatory Bail Application as well as the F.I.R.
3. This is an application under Section 482 of the B.N.S.S., 2023 filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 85/296/115(2)/351(2)/109/3(5) of B.N.S read with Section 4 of DP Act in C.T. Case No.1189 of 2026 in the Court of learned S.D.J.M., Jajpur arising out of Jajpur Sadar P.S. Case No.190 of 2026.
4. It is stated by learned counsel for the Petitioners that Petitioner No.1 is the husband and other Petitioners are the in-laws family members of the informant-wife. He further contended that there exists a matrimonial discord between the Petitioner No.1 and



the informant. Due to such matrimonial discord, the informant-wife has registered this false case implicating all the family members including the husband. Learned counsel for the Petitioners at this juncture contended that prior to lodging of the present FIR, the Petitioner No.1 has filed a divorce proceeding bearing Civil Proceeding No.160 of 2025 which is pending in the court of learned Judge, Family Court, Sambalpur. It was also contended that the present case is a counter blast to the aforesaid divorce proceeding pending before the learned Judge, Family Court, Sambalpur. It was further contended that the injured has not sustained any injury and that the allegations are motivated and false in nature. In such view of the matter, learned counsel for the Petitioners contended that the Petitioners be protected by this Court by releasing them on pre-arrest bail.

5. Learned counsel for the State on the other hand objected to the release of the Petitioners on bail on the ground of gravity and seriousness of the allegation. He further submitted that the investigation is still on, therefore, the release of the Petitioners at this juncture would cause delay in conclusion of the investigation.

6. However, learned counsel for the Petitioners at this juncture submitted that the Petitioners do not want to press this application and seek liberty to surrender before the court below and move an application for bail.

7. Considering the submissions made by learned counsels appearing for the parties, on a careful examination of the nature and gravity of the allegation and the fact a divorce proceeding is already



pending, this Court, on the request of learned counsel for the Petitioners, permits the Petitioners to surrender before the learned court in seisin over the matter within a period of three weeks from today and move an application for bail, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper with further conditions that:-

I. shall not harass, threaten or terrorize the informant-wife and her family members in any manner whatsoever;

II. shall cooperate with the investigation and appear before the Investigating Officer as and when their presence is required by the I.O for the purpose of investigation; and

IV. shall appear before the learned trial court during trial on each date of posting, unless their personal appearance is dispensed with by the learned trial court.

Violation of any of the terms and conditions shall entail cancellation of the bail.

8. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Vacation Judge

Anil