



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 6596 of 2026

Babu Behera

....

Petitioner

Mr. B. Rath, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. B.L. Tripathy, ASC

CORAM: JUSTICE V. NARASINGH
ORDER
17.06.2026

Order No.

- 01.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is seeking pre-arrest bail in connection with C.T. Case No.481 of 2026 pending on the file of learned S.D.J.M, Athgarh, arising out of Athgarh P.S. Case No. 224 of 2026, for commission of offences punishable under Sections 303(2)/ 109/ 111(2)(b)/ 111(3)/ 3(5) of BNS, 2023, read with Section-11 of Prevention of Cruelty to Animals Act, 1960.
3. It is submitted by the learned counsel for the Petitioner that even if the entire F.I.R is accepted at its face value, the basis of accusation is on account of co-accused statement and admittedly the Petitioner



was not present in the vehicle. Hence, he may be protected by pre-arrest bail.

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

5. Taking into account the nature of allegations and in view of the criminal antecedent of similar nature, this Court is not inclined to entertain the application for pre-arrest bail. However, it is directed that the Petitioner may surrender before the learned S.D.J.M, Athgarh in connection with the aforementioned case within one month from today.

In the event of his surrender and motion for bail, the same be considered by the learned S.D.J.M, Athgarh on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned S.D.J.M, Athgarh, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

6. On being so moved, the higher forum is requested to make an endeavour to dispose of the bail application of the Petitioner 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 and learned S.D.J.M, Athgarh is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

7. Accordingly, the ABLAPL stand disposed of.

(V. NARASINGH)
Vacation Judge

Soumya