



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.6828 of 2026

Rakesh Kumar Behera @
Rakesh Behera

.....

Petitioner

Represented by Adv. -
Bijay Kumar Behera

-versus-

state of odisha

.....

Opposite Parties

Represented by Adv. -
Smt. J. Sahoo, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

19.06.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical 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 296, 126(2), 332(c), 109(1), 351(3), 56, 3(5) of B.N.S. read with section 25(1-A) of Arms Act in C.T. Case No.1370 of 2026 in the Court of learned J.M.F.C. (V), Bhubaneswar arising out of Bharatpur P.S. Case No.480 of 2026.
4. It is stated by learned counsel for the Petitioners that the Petitioners are falsely implicated in the present case. He further contended that the injury sustained by the injured are simple in



nature. Learned counsel for the Petitioners further contended that the Petitioner no.1 is having one antecedent and Petitioner no.2 does not have any criminal antecedent. It was also contended that they belong to locality and there is no chance of absconding. On such ground, learned counsel for the Petitioners contended that the Petitioners be released on pre-arrest bail.

5. Learned counsel for the State on the other hand objected to release the Petitioners on bail on the ground of gravity and seriousness of the allegation. He further submitted that in the event the Petitioners are released on pre-arrest bail and that there is every likelihood to might abscond which eventually cause delay in conclusion of the investigation as well as the trial.

6. 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 such submissions, the Petitioners are permitted 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. In such eventuality, the learned court in seisin over the matter shall do well to release the Petitioners on bail on such terms and conditions as the learned Magistrate may deem just and proper. Violation of any of the terms and conditions shall entail cancellation of the bail.

8. It is further directed that the bail granted to the Petitioners shall be subject to the verification of their criminal antecedent and



the injury report. In the event, the Petitioner no.1 is having more than one antecedent and Petitioner no.2 is having any antecedent or the injured has sustained any grievous injury, then this order shall stand automatically revoked.

9. It is further directed that the Petitioner No.1 shall be subject to depositing a cash security of Rs.3,000/- (Rupees Three Thousand) each before the learned Court in seisin over the matter, which shall be kept in any Nationalized bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

10. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Vacation Judge

Sisir