



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7344 of 2026
CNR No. ODHC010460122026

Monalisha Behera ***Petitioner***
Mr. P.S. Das, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. C.R. Swain, AGA

ABLAPL No. 9375 of 2026
CNR No. ODHC010599002026

Amit Patel ***Petitioner***
Mr. D. Acharya, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
18.08.2026

Order No.

03. 1. Since both the ABLAPLs relate to the same FIR, on the consent of the parties, they are taken up together and are disposed of by this common order.
2. Heard learned counsel for the Petitioners and learned counsel for the State.



3. The Petitioners are seeking pre-arrest bail in connection with C.T. Case No.1468 of 2026 pending on the file of learned S.D.J.M., Bhubaneswar, arising out of Capital P.S. Case No.473 of 2026 for commission of offences punishable under Sections 319(2)/336(3)/340(2)/3(5)/318(4) of BNS read with Section 66(C) of IT Act.

4. The allegation against the Petitioner in ABLAPL No.7344 of 2026 is of forging the letter head of the Hon'ble Deputy Speaker of the Odisha Legislative Assembly so as to get a favourable posting and the allegation against the Petitioner in ABLAPL No.9375 of 2026 is that of facilitating the same.

5. It is submitted by the learned counsel for the Petitioner in ABLAPL No.7344 of 2026 that the Petitioner is under suspension and since she is a lady, leniency may be shown.

6. Learned counsel for the State opposes such prayer with vehemence and submits that the co-accused, namely, Laxman Hembram was taken to custody on the self-same allegation akin to the Petitioner in ABLAPL No.7344 of 2026.

7. The Apex Court in the case of **Satender Kumar Antil vrs. Central Bureau of**



Investigation & another, reported in **2022 (10) SCC 51** has clarified the law that the pre-arrest bail is a species of the post-arrest bail and all the grounds, which are to be taken into consideration for grant of post-arrest bail, are also germane for consideration for pre-arrest bail.

8. On examining the rival contention and in the backdrop of the law laid down in **Satender Kumar Antil (Supra)**, it is seen that the allegations are more or less based on documentary evidence and that the Petitioner in ABLAPL No.7344 of 2026 is a lady and is under suspension and she is a government servant. There is no allegation that there is any scope for her to abscond or interfering with the ongoing investigation.

So far as the Petitioner in ABLAPL No.9375 of 2026 is concerned, it is seen that the basis of implication is on account of the co-accused statement.

9. Keeping in view the presumption of innocence, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioners shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.



10. It is needless to state that the Petitioners shall cooperate with the ongoing investigation.

11. Accordingly, both the ABLAPLs stand disposed of.

12. U.C.C. as per rules.

(V. NARASINGH)
Judge

Santoshi