



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9097 of 2025

1. Pramod Jena **Petitioners**
2. Papuni Jena
3. Pravat Jena

Mr. P. Mahali, Advocate

-versus-

State of Odisha **Opposite Party**

Mr. S.Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2025

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 G.R. Case No.684 of 2025 pending on the file of learned SDJM, Kendrapara, arising out of Marshaghai P.S. Case No.97 of 2025 for commission of offences punishable under Section 109/ 115(2) /118(1)/ 190/ 191(2)/ 191(3)/ 351(2)/ 74 of BNS, 2023.
3. This is the third journey of the Petitioners to this Court. While considering the second bail application of the Petitioners who were Petitioner Nos.3, 4 & 2 respectively in ABLAPL No.7437 of



2025, this Court had noted the grounds for not entertaining such application. Paragraph 5 of the said order is extracted hereunder for furtherance:-

"5. So far as the other Petitioners are concerned, the same has been dealt with in paragraph-11 and 12 of the said order. For brevity the same is extracted hereunder:

xxx xxx xxx

11. So far as the Petitioners in ABLAPL No.5059 of 2025 are concerned, taking into account the nature of allegations and the statement of the injured and also the criminal antecedent of the Petitioner No.1 (Pravat Jena) since he has been cited as accused in Marshaghai P.S. Case No.119 dt. 30.05.2024, under Section 341/ 294/ 323/ 506/ 34 of IPC and Marshaghai P.S. Case No.88 dt.11.04.2024 under Section 294/ 386/ 506/ 34 of IPC, this Court is not inclined to entertain the ABLAPL in respect of the Petitioner No.1 (Pravat Jena) in ABLAPL No. 5059 of 2025.



12. Taking into account that the injury is grievous, this Court is not inclined to entertain the pre-arrest bail of Petitioners 2 & 3 in ABLAPL No.5059 of 2025. However, in the event the Petitioners 2 & 3 in ABLAPL No.5059 of 2025 surrenders before the learned Court in seisin in the aforesaid case and move an application for their release on bail, the same shall be considered on its own merit."

4. Taking into account that the Petitioner No.3 (Pravat Jena) was cited as an accused in Marshaghai P.S. Case No.119 dt. 30.05.2024, under Section 341/ 294/ 323/ 506/ 34 of IPC and Marshaghai P.S. Case No.88 dt.11.04.2024 under Section 294/ 386/ 506/ 34 of IPC, his application was not entertained.

Considering that the nature of injury which is grievous, this Court given liberty to Petitioner Nos.1 and 2 to surrender and move for bail.

5. It is submitted by the learned counsel that since in the meanwhile the co-accused who were taken into custody have been released on pre-



arrest bail, the Petitioners may be protected by pre-arrest bail.

6. It is further submitted by the learned counsel that there is no "bar" for moving successive bail application.

7. There is no cavil above such proposition of law.

8. On the third journey of the Petitioners to this Court, this Court does not find any prima facie change in the circumstances to entertain this application. Hence, this Court is not inclined to entertain the application for pre-arrest bail.

9. Accordingly, the ABLAPL stands rejected.

(V. NARASINGH)
Judge

Jina

Signature Not Verified

Digitally Signed
Signed by: JINA DIGAL
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 15-Aug-2025 09:51:32

