



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 9563 of 2025

***Jula @ Kapileswar @
Kapilendra Nayak***

....

Petitioner

Mr. D.K. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.08.2025

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 G.R. Case No.78(A) of 2023 pending on the file of learned J.M.F.C., Niali, Cuttack arising out of Niali P.S. Case No.71 of 2023 for commission of offences punishable under Sections 294/ 323/ 307/ 427/ 342/ 379/ 506/ 34 of IPC read with Section 25(1-B)/27(1) of Arms Act.
3. It is submitted by the learned counsel that the Petitioner was before this Court in ABLAPL No.4996 of 2024 and this Court by order dated 21.05.2024 directed him to surrender and release on bail subject to verification of antecedent.



4. It is stated that it could not be brought to the notice of this Court that at the relevant time the Petitioner had antecedents for which he could not avail the order.

5. Learned counsel for the Petitioner submits that the Petitioner was cited as accused in Niali P.S. Case No.210 of 2019 and Niali P.S. Case No.91 of 2023, in which he has been acquitted and in the case at hand by judgment dated 29.01.2025 in S.T. No.330 of 2024 all the co-accused have been acquitted and the attention of this Court was drawn to the recital of this judgment that the matter has been settled inter se between the parties. The deposition of the informant has also placed on record. Hence, it is submitted that the Petitioner may be protected by pre-arrest bail.

6. Learned counsel for the State opposes such prayer and submits that the evidence adduced in the trial cannot enure to the benefit of the present Petitioner.

7. Taking into account the nature of allegation and the acquittal in criminal cases referred to herein above, this Court directs that on surrendering within three weeks hence and moving for bail, the Petitioner shall be released on bail by the learned Court in seisin on such terms as deemed just and proper



subject to verification of any other criminal antecedent than the two cases noted above.

8. If it comes to the fore that the Petitioner has any other antecedent than the two noted above, this order shall not be given effect to.

9. It is needless to state that the Petitioner shall cooperate with the ongoing investigation.

10. Accordingly, the ABLAPL stands disposed of.

11. U.C.C. as per rules.

(V. NARASINGH)

Judge

Santoshi

Signature Not Verified

Digitally Signed
Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 21-Aug-2025 14:14:51

