



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 10853 of 2025

Duryadhan Barik @ ***Petitioner***
Dhana Barik

Mr. S.G. Das, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.K. Lenka, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.09.2025

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 C.T. Case No.1296 of 2024 pending on the file of learned JMFC-III, Bhubaneswar, arising out of Sahidnagar P.S. Case No.485 of 2024 for commission of offences punishable under Sections 351(2)/ 326(f)/ 115(2)/ 296/ 324(5)/ 190/ 191(3) read with Section 4 and 5 of the Explosive Substance Act.
3. It is submitted by the learned counsel that the Petitioner was before this Court in ABLAPL No.14519 of 2025 wherein he was Petitioner No.2. By order dated 19.12.2024, while this Court directed release of some co-accused, the Petitioner's application was not entertained, inter



alia, on the ground that he had two criminal antecedents.

4. It is further submitted by the learned counsel that, in the meanwhile, the Petitioner has been acquitted in one of the cases and in view of such scenario, the Petitioner may be protected by pre-arrest bail.

5. Learned counsel for the State opposes such prayer.

6. It is brought to the notice of this Court that the injured suffered simple injury.

7. Taking into account the nature of allegations and criminal proclivity, 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 JMFC-III, Bhubaneswar 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 JMFC-III, Bhubaneswar on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned JMFC-III, Bhubaneswar, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.



8. 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 JMFC-III, Bhubaneswar is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

Ground of Parity, if any, may be considered by the learned court (s) below.

9. Accordingly, the ABLAPL stands disposed of.

10. U.C.C. as per rules.

(V. NARASINGH)
Judge

Soumya