



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 11212 of 2025

1. Susanta Behera @ Raju **Petitioners**
2. Bijay Behera
3. Ajay Behera @ Nindua
4. Tushar Barik @ Tusar Barik
5. Swapneswar Behera

Mr. A. Naik, Advocate

-versus-

State of Odisha **Opposite Party**

Mr. C.R. Swain, AGA

Mr. A.K. Mansingh, Adv. (Informant)

CORAM: JUSTICE V. NARASINGH

ORDER

10.12.2025

Order No.

- 03.** 1. None appears for the Informant when the matter is called.
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The Petitioners are seeking pre-arrest bail in connection with T.R. Case No. 477 of 2025 pending on the file of learned SDJM, Khurda, arising out of Khurda P.S. Case No. 378 of 2025 for commission of offences punishable under Sections 126(2)/ 331(4)/ 296 of BNS read with Section 8 of POCSO Act
4. It is submitted by the learned counsel for the Petitioners that for the self-same occurrence the



Petitioners have been cited as accused in two other cases i.e. Khurda P.S. Case No.374 of 2025 and Khurda P.S. Case No.377 of 2025 apart from the present case and the Petitioners' counter FIR is Khurda P.S. Case No.373 of 2025 and all dated 29.08.2025.

5. It is submitted that it's a case of false implication because of village rivalry.

6. Such submission is opposed by the learned counsel for the State referring to the 183 BNSS statement of the victim as well as the injuries suffered, which according to the learned counsel for the State corresponds to the allegations.

7. This Court perused the 183 BNSS statement of the victim and the injury report of the injured.

8. Considering the same, this Court is not persuaded to hold that the allegations are motivated or fanciful as being made out by the learned counsel for the Petitioners.

Hence, this Court is not inclined to entertain the application for pre-arrest bail. However, in the event the Petitioners surrender 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.

9. It is needless to the state here that the order passed in the case at hand shall not in any way



prejudice the Petitioners in respect of the cases in which they are cited as accused.

10. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Santoshi