



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11968 of 2025

1. Manoj Mohanty **Petitioners**
2. Prashanta Palai @
Panua Palei
3. Rabindra Kumar
Palai @ Rabi Palei
4. Pradeep Palai @
Pagala Palei

Mr. S. N. Mishra 4, Advocate
-versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC
Mr. S. Mishra, Advocate
(Informant)

CORAM: JUSTICE V. NARASINGH

Order
No.

ORDER
09.12.2025

- 02.** 1. Mr. S. Mishra, learned counsel has entered appearance on behalf of the informant by filing Vakalatnama. The same is taken on record.
2. Registry is requested to reflect the name of Mr. Mishra, learned counsel in the cause list, brief as well as web portal of this Court.
3. Heard learned counsel for the Petitioners and learned counsel for the State.



4. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.1096 of 2025 pending on the file of learned J.M.F.C. Basudevpur, arising out of Naikandihi P.S. Case No.242 of 2025 for commission of offences punishable under Sections 126(2)/ 115(2)/ 329(3)/ 109(1) /296(b)/ 351(3) / 74/ 324(2) / 3(5) of BNS, 2023.

5. It is submitted by the learned counsel that omnibus allegations have been made and the overt act is attributed to one Prashanta Palai @ Panua Palei who is Petitioner No.2, has been taken to custody as noted by earlier order dated 23.10.2025. Hence, the Petitioners may be protected by pre-arrest bail.

6. Learned counsel for the State opposes the prayer for pre-arrest bail referring to the statement of the injured, injury report as well as other witnesses submits that though the injury suffered is simple in nature, it corresponds to the allegations made.

7. On perusal of the same, this Court is not inclined to entertain the application for pre-arrest bail in respect of Petitioner Nos.3 and 4. However, it is directed that the Petitioner Nos.3 and 4 (Rabindra Kumar Palai @ Rabi Palei and Pradeep Palai @ Pagala Palei respectively) may surrender



before the learned S.D.J.M., Panposh, Rourkela in connection with the aforementioned case within one month from today.

In the event of their surrender and motion for bail, the same be considered by the learned S.D.J.M., Panposh, Rourkela on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned S.D.J.M., Panposh, Rourkela, the Petitioner Nos.3 and 4 are 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 endeavor to dispose of the bail application of the Petitioner Nos.3 and 4 on the same day.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner Nos.3 and 4 and learned S.D.J.M., Panposh, Rourkela is called upon to transmit the case record to the higher forum in the second hour expeditiously in the event of rejection of the bail application by him.

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



9. So far as the ABLAPL in respect of Petitioner No.1 is concerned, taking into account the age of the said Petitioner, this Court directs that on surrendering within three weeks hence and moving for bail, the Petitioner No.1 (Manoj Mohanty) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper subject to verification of criminal antecedent of similar nature.

10. If it comes to the fore that the Petitioner No.1 has any such criminal antecedent, this order shall not be given effect to.

11. It is needless to state that the Petitioner No.1 shall cooperate with the ongoing investigation.

12. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

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