



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 12403 of 2025

Alok Jena

....

Petitioner

Mr. M.B. Das, Advocate

-versus-

1. State of Odisha

....

Opposite Parties

**2. Kanaka Mahanadia @
Kanakalata
Mahanadia**

Mr. S. Panda, ASC

Mr. B.P. Das, Adv.(Informant)

ABLAPL No. 13226 of 2025

Rabi Ping

....

Petitioner

Mr. M.B. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.12.2025

Order No.

02.

1. Since both the ABLAPLs relate to the same FIR, they are heard together on the consent of the parties and disposed of by this common order.

2. Heard learned counsel for the Petitioners, learned counsel for the State and learned counsel for the Informant appearing in ABLAPL No.13226 of 2025.



3. The Petitioners are seeking pre-arrest bail in connection with C.T. Case No.2195 of 2025, pending in the Court of learned SDJM, Jharsuguda, arising out of Airport P.S. Case No.171 of 2025 for commission of alleged offences punishable under Sections 296/318(3)/318(4)/351(3)/3(5) of BNS.

4. It is submitted by the learned counsel for the Petitioners that essentially the case is an offshoot of the agreement for sale. Hence, the FIR ought not to have been registered.

5. It is the further submission of the learned counsel for the Petitioners that two cheques of Rs.7 Lakhs and Rs.5 Lakhs which have not been honored, in respect of the same already there is initiation of proceeding under Section 138 of NI Act. As such, that cannot be the basis to deny the prayer for pre-arrest bail.

6. Learned counsel for the State as well as learned counsel for the Informant appearing in ABLAPL No.12403 of 2025 oppose the prayer for pre-arrest bail.

7. It is submitted by the learned counsel for the State that from the inception the Petitioner in ABLAPL No.12403 of 2025 (Alok Jena) had no intention of honoring his commitment.



8. Learned counsel for the Informant vehemently opposes the defence that because of the initiation of the proceeding under Section 138 of NI Act, the Petitioners are entitled to be released on pre arrest bail.

9. It is on record that the two cheques in question were issued by the Petitioner (Alok Jena) in ABLAPL No.12403 of 2025.

10. On a conspectus of materials on record, this Court is of the considered view that the Petitioner (Alok Jena) in ABLAPL No.12403 of 2025 is not entitled to be released on pre-arrest bail. Hence, this Court is not inclined to entertain the ABLAPL No.12403 of 2025 in respect of the Petitioner (Alok Jena).

11. So far as Petitioner (Rabi Ping) in ABLAPL No.13226 of 2025 is concerned, taking into account the nature of allegation qua the said Petitioner, this Court directs that on surrendering within three weeks hence and moving for bail, the Petitioner (Rabi Ping) in ABLAPL No.13226 of 2025 shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

12. It is needless to state that the Petitioner in ABLAPL No.13226 of 2025 shall cooperate with the ongoing investigation.



13. Accordingly, the ABLAPLs stand disposed of.
U.C.C. as per rules.

Ayesha

(V. NARASINGH)
Judge