



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 12541 of 2025

Sk. Nasimuddin @ Sk. Petitioners
Misim and others

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha Opposite Party

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

12.11.2025

Order No.

- 01.** 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are seeking pre-arrest bail in connection with C.T. Case No.609 of 2025 pending on the file of learned J.M.F.C., Basta, arising out of Basta P.S. Case No.259 of 2025 for commission of offences punishable under Sections 326(1)/3(5) of BNS.
3. It is submitted that the present Petitioners were before this Court in ABLAPL No.10282 of 2025 which was disposed of by order dated 11.09.2025 directing release of the Petitioner on bail subject to verification of the injury suffered and antecedents.
4. On instruction, learned counsel for the Petitioners submits that the injured has not suffered any grievous injury in fact no one is injured and so far as antecedents are concerned, the report



submitted by the I.O. regarding antecedent is incorrect.

In this context attention of this Court is drawn to paragraph 3 of the ABLAPL. The relevant recitals relating to the antecedents of the said paragraph is extracted hereunder;

".....but the I.O. submitted 2 nos. of criminal antecedent against the petitioners i.e. 1) Basta P.S.case No.248 dtd.27.7.2025 ,U/s.329(2), 26(2), 296, 115(2), 74, 3(5) of BNS and 2) Basta P.S.Case No.249 dtd.28.7.2025 U/s.126(2), 295, 115(2), 251(2), 3(5) of BNS, but both the FIR, petitioners name was not mentioned."

5. Referring to the same, reiterating his submission that none of the Petitioners were cited as accused in the said two cases the Petitioner seeks indulgence of this Court on his second motion.

6. Considering the submission, learned counsel for the State is requested to obtain instruction specifically regarding the antecedent as noted above.

7. List this matter on 17.12.2025.

8. Interim order passed earlier shall continue till the next date.

(V. NARASINGH)
Judge