



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12541 of 2025

1. Sk. Nasimuddin @

Sk. Misim

2. Sk. Basat

3. Sk. Riyasat

4. Sk. Kasiruddin

5. Sk. Koushar

6. Sk. Rafiullah

....

Petitioners

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.N. Das, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.12.2025

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 in the Court of learned J.M.F.C, Basta, arising out of Basta P.S. Case No.259 of 2025 for commission of the alleged offence under Sections 326(g)/3(5) of BNS.
3. Learned counsel for the State opposes the prayer for pre-arrest bail.
4. Taking into account the nature of allegations and the criminal antecedents of the Petitioner Nos.1 to



4, this Court is not inclined to entertain the prayer for pre-arrest bail. However, ABLAPL is disposed of with the observation that the Petitioners may surrender before the learned J.M.F.C, Basta in connection with the aforementioned case within one month from today.

5. In the event of their surrender and motion for bail, the application for bail shall be considered by the learned J.M.F.C, Basta on merits in accordance with law in the first hour of the day. In the event of rejection of the prayer for bail by the learned J.M.F.C, Basta, the Petitioners are at liberty to move the higher forum for bail in the second hour on the same day.

6. On being so moved, the higher forum shall make an endeavour to dispose of the bail application of the Petitioners on the same day on merit in accordance with law. In that event, the case diary be made available to the concerned courts to facilitate disposal of the bail application of the Petitioners and learned J.M.F.C, Basta is called upon to transmit the case record to the higher forum expeditiously in the second hour in the event of rejection of the bail application by him.

7. Ground of parity, if any, may be considered by the learned court below.

8. So far as the prayer for pre-arrest bail of Petitioner Nos.5 and 6 is concerned, it is directed that on surrendering within three weeks hence and



moving for bail, the Petitioner Nos.5 and 6 shall be released on bail by the learned Court in seisin on such terms as deemed subject to verification of criminal antecedents of similar nature.

9. If it comes to fore that the Petitioner Nos.5 and 6 have criminal antecedents of similar nature, this order shall not be given effect to.

10. Accordingly, the ABLAPL stands disposed of.

(V. Narasingh)
Judge

PKS