



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13741 of 2025

Sumit Sinha & another

....

Petitioners

Mr. P.K. Mishra, Advocate

-Versus-

State of Orissa

....

Opposite Party

Mr. S.N. Das, ASC

CORAM:

MR. JUSTICE R.K. PATTANAIK

**Order
No.**

**ORDER
23.03.2026**

03.

1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioners seeking pre-arrest bail in connection with Jhirpani P.S. Case No.87 of 2022 corresponding to G.R. Case No.864 of 2022 pending in the court of learned J.M.F.C.(R), Rourkela on the grounds stated.
3. The informant was issued with a notice and as per learned counsel for the State, it has been served by the local PS. Perused the FIR as at Annexure-1. Recorded the submissions of learned counsel for the respective parties. Perused the statement of the informant recorded under Section 161 Cr.P.C. produced before the Court by learned counsel for the State along with the case diary. The record reveals that the chargesheet is filed in 2024 mentioning therein that the petitioners have not been arrested. It is informed to the Court that at present, NBWAs are pending execution by the orders of learned court below, hence,



the petitioners apprehend arrest any time and considering the nature of allegations revealed from the FIR as at Annexure-1 lodged by the informant who happens to be the father of petitioner No.1 and father-in-law of petitioner No.2, both should be allowed to be go on bail on any such terms and conditions, which opposed by learned counsel for the State in view of the mischief committed by them. The record further reveals that the petitioners have withdrawn money from different accounts of the informant without his knowledge. But, learned counsel for the petitioners would submit that the report has been lodged with false allegations and under the influence of other family members of the informant and it was after a Will executed by him. A copy the Will dated 1st September, 2022 is at Annexure-2 claimed to have been executed by the informant. Considering the dispute in the family and complaint by the informant against the petitioners who are none other than his own son and daughter-in-law and that in the meantime, there is closure of investigation showing them 'not arrested', this Court is of the view that under the above circumstances, instead of considering their bail plea, both should be directed to surrender before the learned court below for being released with conditions imposed.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioners surrender before the learned J.M.F.C.(R), Rourkela in connection with Jhirpani P.S. Case No.87 of 2022 corresponding to G.R. Case



No.864 of 2022 within a fortnight from today, it is directed that they shall be released on bail upon furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) each with one solvent surety for the like amount each with such other conditions imposed as deemed just and proper in the facts and circumstances of the case.

6. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

Rojina