



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.13973 of 2025

Sushanta Behera @Raju & others **Petitioners**
Mr. A. Naik, Advocate

-Versus-

State of Odisha **Opposite Parties**
Ms. S. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
29.01.2026

Order No.

02.

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 Khurda P.S. Case No.374 of 2025 corresponding to G.R. Case No.823 of 2025 pending in the court of learned S.D.J.M., Khurda on the grounds stated.
3. Perused the FIRs as at Annexures-1 & 2. It reveals that the alleged incident took place on 29th August, 2025. In fact, counter FIRs have been lodged against each other. It is submitted that the petitioners had earlier approached this Court vide ABLAPL Nos.10491 and 12182 of 2025 and were directed to go on bail on their surrender subject to absence of antecedents. The submission is that the petitioners have been implicated in three other cases on the same day i.e. on 29th August, 2025, hence, are having antecedents. It is informed to the Court that petitioner Nos.2 and 4 are having one case each to their credit. Considering the objection of the State and counter FIR lodged against the petitioners later to their FIR i.e.



Annexure-2, this Court is of the view that notwithstanding the orders in the ABLAPLs and recording the plea that it was not within their knowledge of having antecedents in view of the cases registered on 29th August, 2025 itself, hence, could not be brought to its notice on the earlier occasion, the petitioners instead of pre-arrest bail as has been demanded should be directed surrender before the learned court below for being released with suitable conditions imposed and accordingly, it is ordered.

4. In the result, the ABLAPL petition stands disposed of with a direction to the petitioners to surrender before learned S.D.J.M., Khurda within a fortnight from today and in the event, they surrender in compliance thereof, shall be released on bail in connection with G.R. Case No.823 of 2025 on furnishing a bail bond of Rs.40,000/- (rupees forty thousand) each with one solvent surety for the like amount each to the satisfaction of the court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides verification of any other antecedents apart from the cases registered on 29th August, 2025 and that they shall cooperate the I.O. in the investigation, if the same is pending and not to influence any of the material witnesses connected to the case in any manner whatsoever, while on bail.

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

(R.K. Pattanaik)
Judge

Balaram

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Designation: PERSONAL ASSISTANT
Reason: Authentication
Location: OHC, CUTTACK
Date: 30-Jan-2026 12:17:35

