



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13903 of 2025

1. Nilu Behera **Petitioners**
2. Sagar Behera
3. Mahanta Behera
4. Susanta Behera
5. Milan Behera
6. Santanu Behera
7. Mithun Behera
8. Rama Behera
9. Jitu @ Jitendra
Behera
10. Sanjaya Behera
11. Ranjan Behera
12. Ajay Behera

Mr. L.C. Behera, Advocate

-versus-

State of Orissa **Opposite Party**

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

15.12.2025

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 G.R. Case No. 424 of 2022 pending in the Court of learned Grama Nyayalaya Brahmagiri, Puri, arising out of Arakhakuda Marine Town, P.S. Case. No.46 of 2022 for commission of offences



punishable U/s 147/ 148/ 452/ 323/ 341/ 294/ 506/ 427/354/ 324/ 379/149 of IPC of 1860.

3. It is submitted by the learned counsel that taking into account the nature of allegations and the co-accused have been directed, they shall be released on bail on surrender by orders dated 21.12.2022 by this Court in ABLAPL No.15893 and 15894 of 2025. Hence, on the ground of parity, the Petitioner seeks release on pre-arrest bail.

4. Learned counsel for the State opposes such prayer, inter alia, on the ground that the injury suffered by the injured is grievous.

5. On perusal of the orders adverted to hereinabove, there is no mention of the nature of injury even otherwise it is trite that the though the orders relating to the co-accused may be taken into account in terms of the judgment of the Apex Court in the case of **Satendra Kumar Antil vs. Central Bureau of Investigation & another**, reported in **2023 SCC Online SC 452**, they do not have any precedential value since allegations against each of the accused has to be independently scrutinized.

6. Considering the nature of allegations and injury suffered, this Court is not inclined to entertain the application for pre-arrest bail. However, it is directed that the Petitioners may surrender before the learned



Grama Nyayalaya Brahmagiri, Puri in connection with the aforementioned case within one month from today.

In the event of their surrender and motion for bail, the same be considered by the learned Grama Nyayalaya Brahmagiri, Puri on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned Grama Nyayalaya Brahmagiri, Puri, the Petitioners are at liberty to move the higher forum for bail in the second hour on the same day.

On being so moved, the higher forum is requested to make an endeavour to dispose of the bail application of the Petitioners on the same day on merit in accordance with law. `

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioners and learned Grama Nyayalaya Brahmagiri, Puri is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

Ground of Parity, if any, may be considered by the learned court (s) below.

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

Signature Not Verified

Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 17-Dec-2025 10:40:32
Soumya



(V. NARASINGH)
Judge