



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14691 of 2025

Dr. Arun Kumar Giri

....

Petitioner

Mrs. S. Jena, Senior Advocate

-Versus-

State of Orissa & another

....

Opposite Parties

Mr. S.N. Das, ASC

Mr. D. Panda, Advocate for O.P. No.2

CORAM:

MR. JUSTICE R.K. PATTANAIK

**Order
No.**

**ORDER
23.03.2026**

04.

1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioner seeking pre-arrest bail in connection with Bhawanipatna Town P.S. Case No.528 of 2025 corresponding to C.T. Case No.1259 of 2025 pending in the court of learned S.D.J.M., Bhawanipatna on the grounds stated.
3. Perused the FIR as at Annexure-1. Recorded the submissions of Mrs. Jena, learned Senior Advocate for the petitioner and also Mr. Panda, learned counsel for the informant besides Mr. Das, learned ASC for the State. The details of the alleged incident and other events have been narrated in the report. Mrs. Jena, learned Senior Advocate submits that all the offences are bailable in nature except the one under Sections 74 and 75(1) BNS. The submission is that there is a dispute between both the sides in running a hospital at Bhawanipatna and therefore, with false allegations made, the FIR has been lodged. It is further submitted that the petitioner



also lodged a report on the same date registered as Bhawanipatna Town P.S. Case No.527 of 2025 dated 8th December, 2025 as at Annexure-4. Referring to Annexure-5, it is contended that a GD entry was made for an incident that happened in the month of November, 2025. Similarly, a copy of the legal notice is referred to as at Annexure-3 said to have been issued by the informant, namely, opposite party No.2 to the father of the petitioner. The submission is that there has been no any sexual harassment caused to the victim as she is the Managing Director of the hospital, whereas, the petitioner is an outsider.

4. Mr. Das, learned ASC for the State produced the case diary and statements of the witnesses recorded under Section 180 BNSS. One of the witnesses, namely, Nishant Agrawal examined during investigation revealed that there was an assault from the side of the petitioner to opposite party No.2, which was witnessed by him. Mr. Panda, learned counsel for the informant submits that no case for a pre-arrest bail is made out, hence, it should not be entertained and furthermore, it is a case of harassment at a work place.

5. From the FIR, it is made to suggest that the petitioner forced opposite party No.2 to maintain physical relationship with him and also caused bodily injuries to her during one the incidents. The Court finds that the petitioner is a Surgeon at SRMMCH hospital, Bhawanipatna and he has been involved in running the hospital along with opposite party No.2. The statements of all the witnesses under Section 180 BNSS are also perused. It is made to understand that there has been a



dispute and hence, the petitioner and opposite party No.2 are not in good terms. The petitioner has lodged an FIR i.e. Annexure-4 for an incident dated 8th December, 2025 alleging therein that opposite party No.2 abused him in abusive language and even threatened to lodge a false sexual assault case. The statement of opposite party No.2 recorded under Section 183 BNSS is produced and her version is similar to the allegation levelled in the FIR i.e. Annexure-1. Considering the materials made available in its entirety and relationship between the parties in managing the hospital and as such, since a dispute is pending between them for quite some time and the petitioner being a Surgeon at the hospital, this Court, recording submissions of learned counsel for the respective parties, is of the view that though it is not a case of pre-arrest bail but the petitioner being a doctor by profession and unlikely to abscond, he should instead be allowed to surrender before the learned court below for being released with suitable conditions imposed.

6. Accordingly, it is ordered.

7. In the result, the ABLAPL is disposed of with the direction as aforesaid. It is directed that in the event, the petitioner surrenders before the learned S.D.J.M., Bhawanipatna in connection with Bhawanipatna Town P.S. Case No.528 of 2025 corresponding to C.T. Case No.1259 of 2025 within a fortnight from today, he shall be released on bail upon furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) with one solvent surety for the like amount with such other conditions imposed as deemed just and proper in the facts



and circumstances of the case, besides the following, such as, he shall not cause any harm or injury to opposite party No.2 and her family members in any manner whatsoever, while on bail and to extend cooperation to the I.O. in the investigation of the case, till it is concluded.

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

(R.K. Pattanaik)
Judge

Rojina