



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14882 of 2025

Ajaya Kumar Haibru **Petitioner**
Mr. K.C. Rath, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC

ABLAPL No.14884 of 2025

Mina Behera@Soumiyashree **Petitioner**
Behera
Mr. K.C. Rath, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC

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ABLAPL No.14885 of 2025

Himanshu Sekhar Parida@Jitu **Petitioner**
Parida
Mr. K.C. Rath, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. S. Panda, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
25.02.2026

Order No.
02.

1. All the ABLAPLs are taken up together and disposed of by the following common order.
2. Instant petitions have been filed under Section 482 BNSS by the petitioners seeking pre-arrest bail in connection with Choudwar P.S. Case No.725 of 2025 corresponding to



C.T. Case No.293 of 2025 pending in the court of learned Special Court, SC&ST(PoA) Act, Cuttack on the grounds stated therein.

3. Perused the FIR as at Annexure-1. It is submitted by learned counsel for the petitioners that one of the accused, namely, Ajaya Kumar Haibru is an ST, hence, the case under Section SC&ST (PoA) Act is not to lie against him. The further submission is that the accused, namely, Mina Behera @ Soumiyashree Behera is not involved in the alleged incident and has not even been named in the FIR and therefore, she should be granted pre-arrest bail. As to the other accused, namely, Himanshu Sekhar Parida @Jitu Parida, it is claimed that he filed a complaint against the informant registered as 1.C.C. Case No. 69 of 2025, whereafter, as a counterblast, the report is lodged by the informant with false allegations made. On a reading of the FIR at Annexure-1, the Court finds that the above named accused in ABLAPL No.14885 was alleged to be in a relationship with the informant and developed physical relationship and it was allegedly on a promise of marriage in future. The report was at last lodged by the informant with the allegations made therein. A case under Section 69 BNS has been registered since it was the said accused who promised the victim of marriage and maintained sexual relationship with her. The victim is a major aged about 26 years. As it appears, both the parties had been in a relationship as per the claim of the informant herself and finally, it stood deteriorated for the reasons stated in the FIR. The informant appears to have approached the Human Rights Commission as made to reveal from Annexure-4 series. Considering the above facts and objection of the State, the circumstances under which the report



has been lodged and the fact that a complaint is filed against the informant in 1.C.C. Case No. 69 of 2025 and the other two accused persons, namely, Ajaya Kumar Haibru and Mina Behera @ Soumiyashree Behera have been entangled when one of them claimed to be an ST, this Court, under the impression that substantial part of investigation might have been over by now, though not inclined to grant pre-arrest bail to any of them but is of the view that they should be directed to surrender before the learned court below for being released with suitable conditions imposed.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL petitions stand disposed of with a direction to the petitioners to surrender before learned Special Court, SC & ST (PoA) Act, Cuttack within a fortnight from today and in the event, they surrender in compliance thereof, shall be released on bail in connection with C.T. Case No.293 of 2025 on furnishing bail bonds of Rs.30,000/- (rupees thirty 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 the following, such as, they shall not commit any mischief against the informant, while on bail and to cooperate the I.O in the investigation as and when summoned.

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

(R.K. Pattanaik)
Judge