IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5500 of 2026
CNR No. ODHC010356862026

1) Dillip Barik ***....*** ***Petitioners***
2) Binod Barik
3) Monitakumar Rana
4) Mohita Kumar Rana
5) Somnatha @ Somanath Harijan
6) Arup Harijan
7) Isar Harijan
8) Bhagaban Harijan
9) Rabi Harijan
10) Daya Harijan

Mr. A. Mishra, Advocate

-versus-

State of Odisha ***....*** ***Opposite Party***

Mr. S. Panigrahi, ASC

ABLAPL No. 5786 of 2026
CNR No. ODHC010381712026

Trupta Ganda ***....*** ***Petitioner***

Mr. A. Mishra, Advocate

-versus-

State of Odisha ***....*** ***Opposite Party***

Mr. S. Panigrahi, ASC

ABLAPL No. 8160 of 2026
CNR No. ODHC010502352026

Mohan Harijan …. ***Petitioner***

Mr. A. Mishra, Advocate

-versus-

State of Odisha …. ***Opposite Party***

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.09.2026

Order No.

04. 1. Since all the ABLAPLs relate to the same FIR, on the consent of the parties, they are taken up together for consideration and disposed of by this common order.

2. Heard learned counsel for the Petitioners and learned counsel for the State.

3. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.404 of 2026 pending on the file of learned S.D.J.M., Jeypore, Koraput arising out of Kundura P.S. Case No.39 of 2026 for commission of offences punishable under Sections 310(2)/ 109(1)/ 118(1)/ 331(4)/ 191(3)/ 190/ 189(2) of BNS, 2023 read with Section 27 of Arms Act.

4. It is submitted by the learned counsel that the incident has happened without any premeditation on account of commotion in a bar since the overt act is

attributed to Petitioner No.9 (Rabi Harijan) in ABLAPL No.5500 of 2026.

Considering the background in which the assault has been made and that the Petitioners do not have any criminal proclivity, they may be protected by pre-arrest bail.

5. Learned counsel for the State opposes the prayer for pre-arrest bail, inter alia, on the ground that the injured, namely, Bhola Yadav @ Devdat Kumar has suffered several injuries out of which one is grievous. Hence, no leniency ought to be shown.

It is his further submission that there were no premeditation and attempt to segregate the role ascribed to each of the Petitioners, is not permissible at this stage.

6. Considering the rival submissions and ongoing through the statement of the injured and the injury report, this Court is not inclined to entertain the application for pre-arrest bail in respect of Petitioner No.9 in ABLAPL No.5500 of 2026. However, in the event the said Petitioner (Rabi Harijan) surrenders before the learned Court in seisin in the aforesaid case and moves an application for his release on bail, the same shall be considered on its own merit.

7. So far as the ABLAPL in respect of Petitioner Nos.1 to 8 and 10 in ABLAPL No.5500 of 2026, Petitioners in ABLAPL Nos.5786 and 8160 of 2026 is concerned, taking into account the nature of

allegations and the punishment prescribed, this Court directs that on surrendering within three weeks hence and moving for bail, the Petitioner Nos.1 to 8 and 10 in ABLAPL No.5500 of 2026 (Dillip Barik, Binod Barik, Monitakumar Rana, Mohita Kumar Rana, Somnatha @ Somanath Harijan, Arup Harijan, Isar Harijan, Bhagaban Harijan and Daya Harijan respectively), Petitioners in ABLAPL Nos.5786 and 8160 of 2026 (Trupta Ganda and Mohan Harijan respectively) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper subject to verification of criminal antecedent of similar nature.

8. If it comes to the fore that the Petitioner Nos.1 to 8 and 10 in ABLAPL No.5500 of 2026, Petitioners in ABLAPL Nos.5786 and 8160 of 2026 have any such criminal antecedent, this order shall not be given effect to.

9. It is needless to state that the Petitioners shall cooperate with the ongoing investigation.

10. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
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Reason: Authentication
Location: High Court of Orissa
Date: 10-Sep-2026 19:08:10