IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8858 of 2026
CNR No. ODHC010547772026

Sonami Das .... ***Petitioner***
Mr.B.K. Behera, Advocate

-versus-

State of Odisha .... ***Opposite Party***
Mr.C.R.Swain, AGA

CORAM: JUSTICE V. NARASINGH

Order No. **ORDER**
09.09.2026

02. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is seeking pre-arrest bail in connection with C.T. Case No.1708 of 2026, arising out Mancheswar P.S. Case No.458 of 2026 pending on the file of learned J.M.F.C.-II, Bhubaneswar for commission of offences punishable under Sections 109(1)/115(2)/ 118(1)/304(2)3(5) of BNS, 2023.

3. Learned counsel for the State, while opposing the prayer for pre-arrest bail, submits that the injuries correspond to the allegations and the co-accused similarly circumstanced has already been taken to custody. Hence, the Petitioner ought not to be protected by pre-arrest bail.

4. Counsel for the Petitioner submits that mainly because the co-accused is taken custody, that ought not to deprive the Petitioner from pursuing the plea for pre-arrest bail and more so when the person in custody has already been released. Hence, the Petitioner may be protected by pre-arrest bail.

5. Considering the rival submission, this Court is not inclined to entertain this application of the Petitioner for pre-arrest bail. However, it is directed that they may surrender before the learned J.M.F.C.-II, Bhubaneswar in connection with the aforementioned case within one month from today.

6. In the event of his surrender and motion for bail, the same be considered by the learned J.M.F.C.-II, Bhubaneswar on merits, in the first hour of the day.

7. In the event of rejection of the prayer for bail by the learned J.M.F.C.-II, Bhubaneswar, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

8. On being so moved, the higher forum is requested to make an endeavor to dispose of the bail application of the Petitioner on the same day.

9. The case diary be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner and learned J.M.F.C.-II, Bhubaneswar is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application. The question of parity, if so urged, shall be taken into account.

10. Learned Court in seisin is requested to verify the criminal antecedent of the Petitioner. If it comes to the fore that the Petitioner has any antecedent, this order shall not be given effect to.

11. The ABLAPL is accordingly disposed of.

(V. Narasingh)
Judge

Basu

Signature Not Verified
Digitally Signed
Signed by: BASUDEV NAYAK
Designation: ADDL. DY. REGISTRAR-CUM-ADDL PRINCIPAL SECY
Reason: Authentication
Location: HIGH COURT OF ORISSA : CUTTACK
Date: 12-Sep-2026 16:57:20