IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 9971 of 2026
CNR No. ODHC010645002026

1. Banamali Jena
2. Kartik Jena
3. Babulu Kumar Jena @ Babul Jena
4. Manoj Kumar Jena @ Manua Jena
5. Rabindra Kumar Jena @ Rabi jena
6. Ananaga Jena ....

Petitioners

Mr. R.K. Saho, Advocate

-versus-

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

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.09.2026

Order No.

02. 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.1849 of 2026 pending in the Court of learned SDJM, Bhadrak, arising out of Bhadrak Rural P.S. Case No.513 of 2026 for commission of offence punishable under Sections 126(2)/ 115(2)/ 296/ 303(2)/ 351(2)/ 3(5) of the BNS, 2023.

3. While opposing the prayer for bail, learned counsel for the State submits that the criminal antecedent of the Petitioner Nos.1,4,5 and 6 are as follows:

Criminal Antecedent of the Petitioner No.1- Banamali Jena

1. Bhadrak Rural P.S. Case No.60 of 2017,U/S-294/323/324/34/354(A)/452/506 of BNS.

Criminal Antecedent of the Petitioner No.4 - Manua Jena

1. Bhadrak Rural P.S. Case No. No.132 of 26, U/S-126(2)/296/3(5)/324(4)/351(2) BNS.

Criminal Antecedent of the Petitioner No.5 - Rabi Jena

1. Bhadrak Rural P.S. Case No.367/25,U/S-109(1)/115(2)/126(2)/3(5)/303(2)/324(4)BNS.
2. Bhadrak Rural P.S. Case No.401/25,U/S-115(2)/117(2)/296/3(5)/303(2)/324(4)/333/351(2)/74/76 BNS.

Criminal Antecedent of the Petitioner No.6 - Ananaga Jena

1. Bhadrak Rural P.S. Case No. 03/25,U/S-115(2)/ 126(2)/ 296/ 3(5)/ 351(2)/ 351(3)BNS.
2. Bhadrak Rural P.S. Case No. 04/25,U/S-115(2)/ 296/ 3(5)/ 303(2)/ 351(3)/ 74/75 BNS.
3. Bhadrak Rural P.S. Case No.68/25,U/S-115(2)/ 296/ 303(2)/ 324(4)/ 331(1)/ 351(2)BNS
4. Bhadrak Rural P.S. Case No. 132/25, U/S126(2)/ 296/ 3(5)/ 324(4)/ 351(2)BNS
5. Bhadrak Rural P.S. Case No.367/25, U/S-109(1)/ 115(2)/ 126(2)/ 3(5)/ 303(2)/ 324(4)BNS

6. Bhadrak Rural P.S. Case No.401/25,U/S-115(2)/ 117(2)/ 296/ 3(5)/ 303(2)/ 324(4)/ 333/ 351(2) / 74/ 76 BNS.

7. Bhadrak Rural P.S. Case No. 432/24,U/S-294/307/323/34/341/354/74 IPC."

4. Considering the nature of allegations and the manner in which the assault has taken place, this Court is not inclined to entertain the application for pre-arrest bail. However, in the event the Petitioner No.6 (Ananaga Jena) surrenders before the learned Court in seisin and moves an application for his release on bail, the same shall be considered on its own merit.

5. So far as the Petitioner Nos.2 and 3 (Kartik Jena, Babulu Kumar Jena @ Babul Jena) are concerned, taking into account the said Petitioners are the first offenders, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioner Nos.2 and 3 (Kartik Jena, Babulu Kumar Jena @ Babul Jena) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

6. It is further stated that the Petitioner Nos.2 and 3 shall cooperate with the ongoing investigation.

7. So far as the Petitioner Nos.1,4 and 5 (Banamali Jena, Manoj Kumar Jena @ Manua Jena

and Rabindra Kumar) are concerned, taking into account the nature of criminal proclivity, this Court is not inclined to entertain the application for pre-arrest bail in respect of the Petitioner Nos.1,4 and 5. However, it is directed that the Petitioner Nos.1,4 and 5 may surrender before the learned SDJM, Bhadrak 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 SDJM, Bhadrak on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned SDJM, Bhadrak, the Petitioner Nos.1,4 and 5 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 applications of the Petitioner Nos.1,4 and 5 on the same day on merit in accordance with law.

8. The case diary shall be made available to the concerned courts to facilitate disposal of the bail applications of the Petitioner Nos.1,4 and 5 and learned SDJM, Bhadrak 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.

9. Accordingly, the ABLAPL stands disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified
Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Reason: Authentication
Location: High Court of Orissa
Date: 12-Sep-2026 14:05:57