IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 10218 of 2026
CNR No. ODHC010652302026

Nrusingh Biswal .... ***Petitioner***

Mr. J.K. Padhi, Advocate

-versus-

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

Mr. U.C. Jena, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

09.09.2026

Order No.

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

2. The Petitioner is seeking pre-arrest bail in connection with S.T. Case No.15/734 of 2025 (G.R. Case No.272 of 2025) pending on the file of learned 2nd Additional Sessions Judge, Puri, (J.M.F.C., Kanas) arising out of Jodapadar P.S. Case No.116 of 2025 for commission of offences punishable under Section 103(2)/303(2)/76 of BNS.

3. This is the second journey of the Petitioner to this Court. Petitioner had moved this Court in ABLAPL No.401 of 2026 which was allowed to be withdrawn by order dated 18.02.2026.

4. It is submitted by the learned counsel for the Petitioner because certain relevant documents were not

in possession of the Petitioner, he withdrew the earlier application.

5. Referring to the statements on record, it is submitted that the allegations are omnibus in nature. Hence, the Petitioner may be protected by pre-arrest bail.

6. It is his further submission that on the relevant date of occurrence, the Petitioner on account of treatment of this son was present in All India Institute of Medical Science at Bhubaneswar and certificate to the said effect is on record at Annexure-2.

7. Learned counsel for the State opposes the prayer for pre-arrest bail and submits that the plea of alibi cannot be considered at this stage. And, it is also his submission that reference to Annexure-2 does not indicate that the Petitioner was present on the said date.

8. Considering the rival submission and taking into account the offence as alleged, this Court is not inclined to entertain the application for pre-arrest bail more so since the withdrawal notwithstanding the background in which the same is stated to have taken place was also post charge sheet. However, it is directed that Petitioner may surrender before the learned J.M.F.C., Kanas 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 J.M.F.C., Kanas on merits, in the first hour of the day.

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

9. 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.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner and learned J.M.F.C., Kanas 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.

10. Accordingly, the ABLAPL stands disposed of.

11. U.C.C. as per rules.

(V. NARASINGH)
Judge

Santoshi

Signature Not Verified
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Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 10-Sep-2026 18:43:47