IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 10251 of 2026
CNR No. ODHC010665382026

T. Kamesh *...* ***Petitioner***

Mr. S. K. Lenka, Advocate

-versus-

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

Mr. S. K. Lenka, 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 C.T. Case No.2141 of 2026 pending on the file of learned J.M.F.C(II), Bhubaneswar arising out of Infocity P.S. Case No.755 of 2026 for commission of offences punishable under Sections 126(2), 296, 115(2), 117(2), 109(1), 303(2), 351(2) and 3(5) of BNS.

3. It is submitted by the learned counsel that the incident has happened on the spur of the moment without any premeditation. Hence, the Petitioner may be protected by pre-arrest bail.

4. Learned counsel for the State opposes the prayer for pre-arrest bail, inter alia, on the ground that though the injuries suffered are simple in nature,

two of them are on the occipital region and that the co-accused has since been forwarded.

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

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.

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.

6. 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(II), Bhubaneswar is called upon to transmit the case record to the higher forum in the second hour expeditiously in the event of rejection of the bail application by him.

Ground of parity, if any, may be considered by the learned court(s) below. The forums below are requested to verify the criminal antecedents of the Petitioner.

If it comes to the fore that the Petitioner has any criminal antecedents, this order shall not be given effect to.

7. Accordingly, the ABLAPL stands disposed of.

8. U.C.C. as per rules.

(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