IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10317 of 2026
CNR No. ODHC010677882026

Abinash Mahapatra @ Mahapatro .... ***Petitioner***

Mr.Pradipta Mohanty, Sr. Advocate

-versus-

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

Mr.A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.09.2026

Order No.

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

2. The Petitioner is seeking pre-arrest bail in connection with the G.R. Case No.2496 of 2026 arising out of Berhampur Mahila P.S. Case No.0116 of 2026 pending on the file of learned S.D.J.M., Berhampur for commission of offences punishable under Sections 85/296/115(2)/351(2)/3(5) of the BNS, 2023.

3. It is submitted by learned Senior Counsel for the Petitioner that because of the dissention with his spouse, the Petitioner filed C.P. No.370 of 2026 in the Court of the learned Judge, Family Court, Berhampur on 19.08.2026 and prior to it, he has also filed an FIR at Balianta P.S. against the Informant on 24.08.2026. It is also stated that since the Balianta P.S. has no

jurisdiction to accept such FIR, the Petitioner filed the said FIR at Pahala P.S. For filing of such FIR and the proceeding of dissolution of marriage, the Petitioner has been falsely implicated in this case. Hence, he may be protected by pre-arrest bail.

4. Learned State Counsel opposes the prayer for pre-arrest bail.

5. This Court perused the material on record including the statement of the complainant. Considering the same, this Court is persuaded to hold that the custodial interrogation of the Petitioner is not warranted. Accordingly, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioner shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

6. It is needless to state that the Petitioner shall cooperate with the ongoing investigation.

7. The ABLAPLs are accordingly disposed of.

Issue urgent certified copy as per rules.

(V. NARASINGH)
Judge

Signature Not Verified
Basu
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 17:15:44