IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 10355 of 2026
CNR No.ODHC010679762026

1. Gidias @ Gidiash Raita … ***Petitioners***
2. Karnial @ Korniel Raita

Dr. B. K. Mishra, Advocate

-versus-

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

Mr. S. K. Lenka, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.09.2026

Order No.

01. 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.537 of 2026 pending on the file of learned S.D.J.M., Paralakhemundi, Gajapati arising out of Seranga P.S. Case No.89 of 2026 for commission of offences punishable under Sections 126(2)/ 127(2)/ 109(1)/ 115(2)/ 118(1)/ 324(2)/ 74/ 351(2)/ 3(5) of BNS & 4 of Odisha Prevention of Witch-Hunting Act, 2013.

3. Referring to the injury report, it is submitted by the learned counsel that since the injuries are simple in nature the Petitioners may be protected by pre-arrest bail.

And, it is also stated that the allegation under Section 109 is ex facie exaggerated.

4. It is brought to the notice of this Court that, in the meanwhile, some of the co-accused, who were taken into custody have since been released on bail.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. This Court perused the statement of the complainant recorded under Section 183 of BNSS and the injury report of one of the injured, namely, Sinia, who has suffered multiple injuries.

7. Taking into account the nature of allegations and the manner in which the injuries have been inflicted, this Court is not inclined to entertain the application for pre-arrest bail. However, it is directed that the Petitioners may surrender before the learned S.D.J.M., Paralakhemundi, Gajapati 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 S.D.J.M., Paralakhemundi, Gajapati on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned S.D.J.M., Paralakhemundi, Gajapati, the Petitioners are 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 Petitioners on the same day.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioners and learned S.D.J.M., Paralakhemundi, Gajapati 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 Petitioners.

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

9. Accordingly, the ABLAPL stands disposed of.

10. U.C.C. as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 12-Sep-2026 13:54:30