IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10321 of 2026
CNR No.ODHC010682722026

Akshay Nayak .... ***Petitioner***
Mr.Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha .... ***Opposite Party***
Mr.A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

Order No. **ORDER**
10.09.2026

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 G.R. Case No.904 of 2026 arising out of Industrial Estate P.S. Case No.203 of 2026 pending on the file of learned S.D.J.M., Khurda, for commission of offences punishable under Sections 126(2)/115(2)/ 118(2)/109/3(5) of the BNS, 2023

3. This is the second journey of the Petitioner to this Court. He was Petitioner No.2 in the earlier bail pre-arrest bail application, i.e., ABLAPL No.9451 of 2026 and by order dated 18.08.2026, it was directed that on verification of the criminal antecedent and the nature of injury, he shall be released on bail. Since the injury turned to be grievous, the Petitioner has approached this Court. It is his submission that the accused person to

whom the overt act has been attributed, has since been released on bail after being taken to custody.

4. In such view of the matter, the Petitioner seeks pre-arrest bail.

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

6. Taking into account the nature of allegations, this Court is not inclined to entertain this application of the Petitioner for pre-arrest bail. However, it is directed that he may surrender before the learned S.D.J.M., Khurda, in connection with the aforementioned case within one month from today.

7. In the event of his surrender and motion for bail, the same be considered by the learned S.D.J.M., Khurda, on merits, in the first hour of the day.

8. In the event of rejection of the prayer for bail by the learned S.D.J.M., Khurda, 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.

10. The case diary be made available to the concerned Courts to facilitate disposal of the bail application of the Petitioner and learned S.D.J.M.,

Khurda, is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application. The question of parity, if so urged, shall be taken into account.

11. The Court below is requested to verify the criminal antecedents of the Petitioner and if it comes to the fore that the Petitioner has criminal antecedent of any nature, this order shall not be given effect to.

12. The ABLAPL is accordingly disposed of.

(V. Narasingh)
Judge

Basu

Signature Not Verified
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