IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 10367 of 2026
CNR No. ODHC010684362026

Mohammed Afroz ***Petitioner***

....

Mr. B. Jalli, Advocate

-versus-

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

Mr. S.K. Lenka, ASC

ABLAPL No. 10489 of 2026
CNR No. ODHC010701622026

Krusna Chandra Behera ***Petitioner***

....

Mr. B. Jalli, Advocate

-versus-

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

Mr. S.K. Lenka, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.09.2026

Order No.

01. 1. Since both the ABLAPLs relate to the same FIR, they are heard together on the consent of the parties and disposed of by this common order.

2. Heard learned counsel for the Petitioners and learned counsel for the State.

3. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.895 of 2026 pending on

the file of learned J.M.F.C., Jatani, arising out of Info Valley P.S. Case No.364 of 2026 for commission of offences punishable under Sections 109/ 303(2)/ 3(5) of BNS, 2023 read with Section 11(d)(e) of Prevention of Cruelty to Animal Act, 1960.

4. It is submitted by the learned counsel for the Petitioners that exaggerated allegations have been made in respect of offence as alleged under Section 109 of BNS.

5. It is submitted by the learned counsel that the Petitioner in ABLAPL No.10367 of 2026 has one criminal antecedent in which the Investigating Agency has resorted to the provision as contained in Section 35(3) of BNSS and the Petitioner in ABLAPL No.10489 of 2026 stated to have no criminal antecedent.

6. Learned counsel for the State opposes the prayer for pre-arrest bail during the currency of investigation.

7. Taking into account the nature of allegations, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioners shall be released on bail by the learned Court in seisin on such terms as deemed just and proper subject to verification of not more than one criminal antecedent of any nature.

8. If it comes to the fore that the Petitioners have more than one criminal antecedent of any nature, this order shall not be given effect to.

9. It is needless to state that the Petitioners shall cooperate with the ongoing investigation.

10. Accordingly, the ABLAPLs stand disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Ayesha

Signature Not Verified
Digitally Signed
Signed by: AYESHA ROUT
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 12-Sep-2026 13:55:18