IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 10363 of 2026
CNR No. ODHC010690732026

1. Pankaj Behera …. ***Petitioners***
2. Rakhal Behera
3. Bishnu Behera
4. Birabara @ Prapesh Behera
5. Makar @ Sarat Behera
6. Raju @ Rajendra Behera
7. Pramod Behera

Mr. D. Mohapatra, Advocate

-versus-

State of Orissa …. ***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.1112 of 2026 pending on the file of learned S.D.J.M., Jagatsinghpur, arising out of Bandar Marine P.S. Case No.24 of 2026 for commission of offences punishable under Sections 109(1)/ 115(2)/ 121(1)/ 132/ 189(2)/ 190/ 191(2)/ 191(3)/ 221/ 296/ 351(2) of the BNS, 2023.

3. It is submitted by the learned counsel for the Petitioners that the co-accused has since been

released on bail by this Court by order dated 20.07.2026 in ABLAPL No.7852 of 2026 and it is submitted that in essence the allegations against all the Petitioners are one and the same. Hence, on the ground of parity, the Petitioners may be protected by pre-arrest bail.

4. Learned counsel for the State opposes the prayer for pre-arrest bail and submits that Petitioner Nos.1, 3 to 7 have one criminal antecedent which are triable by Magistrate and Petitioner No.2 has 4 criminal antecedents and none of the antecedents entail a punishment of more than 7 years.

5. Learned counsel for the State also submits that so far as the order passed by the Coordinate Bench of this Court is concerned, it has not taken note of any antecedent. As such, the same is ex-facie distinguishable.

6. Considering the nature of antecedents and the role ascribed to the Petitioners and in the light of the order passed in respect of the co-accused, 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.

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

8. Accordingly, the ABLAPL stands 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 13:55:17