



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1612 of 2026

Dillip Kumar Nayak

....

Petitioner

Mr. S. R. Mulia, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. M. K. Mohanty, ASC

Mr. S. P. Tripathy, Advocate

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

09.07.2026

Order No.

04.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioner in connection with Kharbelnagar P.S. Case No.26 of 2026 corresponding to C.T. Case No.95 of 2026 pending in the file of learned S.D.J.M., Bhubaneswar on the grounds stated therein.
3. Recorded the submissions of learned counsels for the respective parties.
4. Perused the FIR as at Annexure-1. Mr. Mulia, learned counsel for the petitioner submits that no details have been provided in the FIR regarding the payments made and received by the petitioner. Referring to the additional affidavit filed as at Flag-D, the further submission is that three criminal cases have been filed against the petitioner at the instance of the informant and in so far as Baripada Town P.S. Case No.155 of 2019 is concerned, therein a final report is submitted. The further submission is that in absence of any details regarding the



transactions between the parties mentioned in the FIR i.e. Annexure-1, the petitioner is entitled to bail. Mr. Tripathy, learned counsel for the informant seriously opposes the bail plea of the petitioner referring to the objection affidavit as at Flag-F. Further reference is made to the documents filed along with CRLMC No.1170 of 2026 before this Court. It is claimed that the petitioner admitted about the fact regarding receipt of funds from the informant. The objection affidavit filed by the State through IIC of the PS concerned in the CRLMC is also referred to by Mr. Tripathy, learned counsel to submit that there is suppression of material facts and the petitioner deliberately attempted to give the dispute a civil colour which is manifestly criminal in nature. Furthermore, it is submitted that there has been an admission by the petitioner regarding the payments received in course of a settlement reached at the PS concerned. With such submission, Mr. Tripathy, learned counsel opposed the bail plea of the petitioner. Mr. Mulia, learned counsel for the petitioner, however, submits that such settlement has been managed at the PS and there is also an allegation against the IO, for which, the petitioner approached the Human Rights Commission with a complaint against him.

5. Recorded the objection of the State.

6. The allegations in the FIR at Annexure-1 reveal that the informant parted with the deposits and thereafter the mischief has been committed by the petitioner. Though there are no details mentioned regarding the payments made to the petitioner in a report, but according to Mr. Tripathy, learned counsel, an amount of Rs.60 lac has been paid by the informant



to him. Considering the rival contentions as above with reference to the materials on record, this Court is of the view that in absence of the details of payments made to the petitioner revealed in the FIR and in view of the settlement at the PS clearly opposed by him with a plea that it has been forcefully managed at the behest of the informant and that the petitioner, who is related to the informant, he should be directed to go on bail with conditions and at the same time with a request to both the sides to go for a mediation with their appearance before the DLSA, Khordha at Bhubaneswar.

7. Accordingly, it is ordered.

8. In the result, the ABLAPL is disposed of. It is directed that in the event, the petitioner surrenders before the learned S.D.J.M., Bhubaneswar in connection with Kharbelnagar P.S. Case No.26 of 2026 corresponding to C.T. Case No.95 of 2026 within a fortnight from today, he shall be released on bail upon furnishing bail a bond of Rs.30,000/- (rupees thirty thousand only) with one solvent surety for the like amount and such other terms and conditions as deemed just and proper in the facts and circumstances of the case. It is further directed that the parties are to appear before the DLSA, Khordha at Bhubaneswar on 5th August, 2026 for a mediation and to receive further orders and the report of such mediation shall be dealt with by the court below according to law.

Signature Not Verified Issue urgent certified copy as per rules.

Digitally Signed
Signed by: SUMITRA NAYAK
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 14-Jul-2026 12:19:19

Sumitra

(R.K. Pattanaik)
Judge