



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8586 of 2026
CNR No. ODHC010526352026

1. Kailash Chandra Lenka **Petitioners**
2. Okila Swain
3. Prakash Barala @ Barala
4. Akhaya Mala @ Malla
5. Bhimasena Sethi

Mr. J. Behera, Advocate

-versus-

State of Odisha **Opposite Party**

Mr. C. R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
30.07.2026

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.253 of 2026 pending on the file of learned JMFC, Kakatapur arising out of Kakatapur P.S. Case No.258 of 2026 for commission of offences punishable under Sections 115(2)/ 126(2)/ 132/ 221/ 224/ 296/ 3(5)/ 329(3)/ 351(2) of BNS Act, 2023.



3. It is submitted by the learned counsel that exaggerated allegations have been made. Hence, the Petitioners may be protected by pre-arrest bail.

4. Learned counsel for the State opposes the prayer for pre-arrest bail since one of the offences is under Section 132 of BNS.

5. On perusal of the FIR, this Court is not inclined to entertain the application for pre-arrest bail in respect of Petitioner No.1. However, it is directed that the Petitioner No.1 (Kailash Chandra Lenka) may surrender before the learned JMFC, Kakatapur in connection with the aforementioned case within one month from today.

In the event of his surrender and motion for bail, the same be considered by the learned JMFC, Kakatapur on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned JMFC, Kakatapur, the Petitioner No.1 is at liberty to move the higher forum for bail in the second hour on the same day.

6. On being so moved, the higher forum is requested to make an endeavor to dispose of the bail application of the Petitioner No.1 on the same day.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner No.1 and learned JMFC,



Kakatapur 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.

7. So far as the ABLAPL in respect of Petitioner Nos.2 to 5 is concerned, taking into account the nature of allegations and the punishment prescribed, this Court directs that on surrendering within three weeks hence and moving for bail, the Petitioner Nos.2 to 5 (Okila Swain, Prakash Barala @ Barala, Akhaya Mala @ Malla and Bhimasena Sethi respectively) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

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

9. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Jina

Signature Not Verified

Digitally Signed
Signed by: JINA DIGAL
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 31-Jul-2026 18:01:48

