



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8838 of 2026
CNR No. ODHC010553212026

1. Pritibala Panda ... **Petitioners**
2. Subha Priyadarshan Panda

Mr. P. K. Satapathy, Advocate

-versus-

State of Odisha **Opposite Party**

Mr. S. Panigrahi, ASC
Mr. J. K. Panda, Advocate
(Informant)

CORAM: JUSTICE V. NARASINGH
ORDER

Order No. **10.09.2026**

- 03.** 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.563 of 2026 pending on the file of learned JMFC, City Court, Cuttack arising out of Mangalabag P.S. Case No.184 of 2026 for commission of offences punishable under Sections 115(2)/ 296/ 3(5)/ 316(2)/ 318(4)/ 351(3) of BNS, 2023.
3. It is submitted by the learned counsel that a commercial transaction of nonrefundable of money against a failed promise to provide land, is being



given the colour of criminality and the Petitioners have been arrayed as accused. Hence, the Petitioners may be protected by pre-arrest bail.

4. It is further submitted by the learned counsel that taking into account the nature of allegations the FIR ought not to have been registered in the first place.

5. Learned counsel for the State as well as informant oppose the prayer for pre-arrest bail.

6. It is brought to the notice of this Court so far as Petitioner No.1 is concerned, she is involved in the following three cases:-

- "1. Bandhamunda P.S Case No.127/2022
U/s 417/420/465/468/471/506/34 IPC.
2. Baliana PS Case No. 64 Dt:
09.02.2026 U/S-318(4)/296/351(3)/3(5)
BNS.
3. CDA 2 PS case no- 150 dtd 19.07.2026
U/s- 318(4)/316(2)/3(5) BNS 2023."

7. So far as Petitioner No.1 is concerned, it is submitted by the learned counsel that because she is the wife of the principal accused, namely, Sasadhar Panda, who is in custody, she has been implicated in the cases and she is a home maker which should weigh with this Court in considering her prayer for pre-arrest bail in the given circumstances.



8. Learned counsel for the State as well as the informant opposes the prayer for pre-arrest bail and submits that the bogey of a contractual obligation cannot come into play in the case at hand, since the mens rea to cheat was telltale from its inception and also oppose the prayer referring to the criminal proclivity of Petitioner No.1.

9. So far as Petitioner No.2 is concerned, it is submitted by the learned counsel for the Petitioners that because he is the son he has been implicated in the case at hand and save and except the case at hand, he has no other criminal antecedent and is a young man of 20 years and pursuing his studies hence he is to be treated on a different plane.

10. On considering the rival submissions and taking into account the materials on record, 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 (Pritibala Panda) may surrender before the learned JMFC, City Court, Cuttack 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, City Court, Cuttack on merits, in the first hour of the day.



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

11. 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, City Court, Cuttack 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.

12. So far as the ABLAPL in respect of Petitioner No.2 is concerned, taking into account that he is student and he has no other case than the case at hand, it is directed that in the event of arrest of the Petitioner No.2 (Subha Priyadarshan Panda) in connection with the aforesaid case, he shall be released on bail by the Arresting Officer on such terms and conditions deemed just and proper with further conditions that they will cooperate with the investigation.



13. Violation of any of the above condition(s) shall entail cancellation of bail.
14. Accordingly, the ABLAPL stands disposed of.
15. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified

Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 12-Sep-2026 12:03:10

