IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9308 of 2025

Soumya Ranjan Rout …. ***Petitioner***

Mr. R. Behera, Advocate

-versus-

1. State of Odisha …. ***Opposite Parties***
2. Informant

Mr. S.K. Lenka, ASC
Mr. A.K. Nath, Advocate
(Informant)

CORAM: JUSTICE V. NARASINGH

ORDER
17.09.2025

Order No.

02. 1. Heard learned counsel for the Petitioner and learned counsel for the State as well as the Informant.

2. The Petitioner is seeking pre-arrest bail in connection with G.R. Case No.710 of 2025 pending on the file of learned J.M.F.C. Banarpal, arising out of Angul Sadar P.S. Case No.421 of 2025 for commission of offences punishable under Sections 137(2) of BNS.

3. It is submitted by the learned counsel for the Petitioner that taking into account the nature of allegations, he may be protected by pre-arrest bail.

4. Taking into account the nature of allegations, learned counsels for the State as well as the Informant oppose the prayer.

5. In a recent dictum of the Apex Court in the Case of **Satender Kumar Antil Vrs. Central Bureau of Investigation and another,** reported in, **2023 SCC Online SC 452,** while exercising the jurisdiction of continuing mandamus, it was held that anticipatory bail is another facet of bail even in respect of the person, who is not in custody. The relevant observation of the Apex Court is extracted hereunder:

> xxx xxx xxx
>
> We would like to clarify that what we have enunciated qua bail would equally apply to anticipatory bail cases. Anticipatory bail after all is one of the species of a bail.
>
> xxx xxx xxx

Rival submissions have to be considered on the touchstone of law laid down by the Apex Court in the case of **Satender Kumar(supra).**

6. This Court perused the statement of the victim recorded under Section 183 of the BNSS.

7. On perusal of the same, this Court is persuaded to hold that custodial interrogation of the Petitioner is not warranted.

8. Hence, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioner shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

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

10. Accordingly, the ABLAPL stands disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified
Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Reason: Authentication
Location: High Court of Orissa
Date: 18-Sep-2025 20:26:53