IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 523 of 2026

Prakash Chandra Swain@ Prakash Swain …. **Petitioner**

Mr. J.K.Panda, Advocate

-Versus-

State of Odisha …. **Opposite Party**

Mr. S.N.Das, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
08.04.2026

Order No.

03. 1. Heard learned counsel for the respective parties.

2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with G.R.Case No.06 of 2026 arising out of Mohana P.S. Case No. 260 of 2025 pending in the file of learned JMFC, Mohana on the grounds stated.

3. Gone through the FIR as at Annexure-1. The case diary is produced in Court today at the time of hearing and the same is gone through. Along with the case diary, the Court received the police papers including the post mortem report of the deceased. The cause of death is stated to be on account of the cardiac problem of the deceased but the final opinion has been kept reserved since revealed from the PM report. In the case diary, on reading of the statements of the witnesses recorded

under Section 180 BNSS, the Court finds that the deceased was a Bank employee and his body was removed from a closed room bolted from inside but the involvement of the petitioner is alleged. The PM report reveals that the deceased had no external injury and to ascertain the cause of death, his viscera has been preserved. The final opinion has not been received as yet as further informed to the Court. The Court finds that the death of the deceased is suspected to be homicidal with the involvement of the petitioner but investigation is underway pending the final medical opinion. Under the above circumstances and when U.D. case was registered and nearly after nine months, the report was lodged by the informant alleging homicidal death of the victim, this Court though not inclined to consider plea of pre-arrest bail but is of the view that the petitioner should be directed to surrender before the learned court below for being released with conditions.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioner surrenders before the court of learned JMFC, Mohana within a fortnight from today, it is directed that he shall be released on bail in connection with Mohana P.S. Case No. 260 of 2025 corresponding to G.R.Case No.06 of 2026 on furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) with one solvent surety for the like amount with the following conditions, such as, he shall not influence any of the material witnesses

connected to the case and to cooperate the I.O. in the investigation if the same is pending as on date.

6. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

kabita

Signature Not Verified
Digitally Signed
Signed by: KABITARANI MAJHI
Reason: Authentication
Location: OHC, CUTTACK
Date: 10-Apr-2026 12:32:11