IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1887 of 2026

Bapi Mohanty @ Jan Kumar Mohanty .... **Petitioner**

Mr. S. Mohanty, Advocate

-Versus-

State of Odisha .... **Opposite Party**

Mrs. Siva Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
07.04.2026

Order No.

01. 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 Tirtol P.S. Case No.68 of 2026 corresponding to G.R. Case No.76 of 2026 pending in the file of learned J.M.F.C., Tirtol on the grounds stated therein.

3. Perused the FIR as at Annexure-1. As per the report lodged by the informant, he had a fight with the petitioner and other accused persons prior to the alleged incident, hence suspected their involvement in setting his shop to blaze. Learned counsel for the petitioner submits that it is merely a suspicion without any proof and that apart, one of the accused persons, namely, Milan @ Rakesh Nayak, who was arrested in connection with the alleged incident, was released on bail by order of the learned Sessions Judge, Jagatsinghpur in BLAPL No.40 of 2026. A copy of the order in BLAPL dated 18th

February, 2026 in respect of the above named accused is produced. The submission is that the involvement of the petitioner is only suspected.

4. Recorded the submission of learned ASC for the State.

5. On account of suspicion, the petitioner's involvement is alleged and it is for a prior incident with the informant. Considering the FIR i.e. Annexure-1, this Court is of the considered view that the petitioner though not entitled to pre-arrest bail but he should be allowed to be released with stringent conditions and subject to absence of criminal antecedents in view of the release of the co-accused in the meantime vide order of the learned Sessions Judge, Jagatsinghpur in the BLAPL.

6. Accordingly, it is ordered.

7. In the result, the ABLAPL is disposed of. It is directed that in the event, the petitioner surrenders within a fortnight from today before the learned J.M.F.C., Tirtol in connection with Tirtol P.S. Case No.68 of 2026 corresponding to G.R. Case No.76 of 2026, he shall be released on bail subject to him on furnishing a bail bond of Rs.40,000/- (Rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall not pick up any quarrel with the informant and shall not be involved in any such other mischief along with the co-accused persons, while on bail and to report

the I.O. once in a fortnight for the purpose of investigation and to continue to do so, till the investigation is over. It is further directed that the above order shall not be given effect to if the petitioner is having criminal antecedents.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok

Signature Not Verified
Digitally Signed
Signed by: ALOK RANJAN SETHY
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 09-Apr-2026 15:14:48