IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1903 of 2026

Prakash Swain …. **Petitioner**

Mr. T.P. Mohapatra, Advocate

-Versus-

State of Orissa …. **Opposite Party**

Mr. M.K. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

Order No.

ORDER
07.04.2026

01. 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.35 of 2026 pending in the file of learned Grama Nyayalaya, Puri arising out of Chandanpur P.S Case No.09 of 2026 on the grounds stated.

3. Perused the FIR as at Annexure-1. Mr. Mohapatra, learned counsel for the petitioner submits that the petitioner was arrested in connection with Chandanpur P.S Case No.7 dated 9th January, 2026 and was in custody for nearly a fortnight and after being released, he is being searched further in two other cases including the present one registered as Chandanpur P.S Case No.09 of 2026 with similar allegations of having illegally transported sand from a river bed. In view of

the apprehension of arrest, the petitioner, as according to Mr. Mohapatra, learned counsel should be allowed to go on bail as it was quite unusual to register two more cases on one day i.e. 9th January, 2026 itself. Recorded the objection of the State. This Court considering the above facts and that the driver was caught at the spot and he revealed the name of the petitioner who has been alleged that on his direction the alleged mischief was committed and submissions of learned counsel for the respective parties and that the petitioner's involvement is disclosed by the co-accused, though not inclined to grant him pre-arrest bail but is of the view that he should 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 Grama Nyayalaya, Puri within a fortnight from today, it is directed that he shall be released on bail in connection with G.R. Case No.35 of 2026 corresponding to Chandanpur P.S Case No.09 of 2026 on furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) with one solvent surety for the like amount with such other conditions imposed as deemed just and proper and in the facts and circumstances of the case. It is directed that apart from the conditions imposed, the petitioner shall attend the PS once in ten days' time and to report the I.O. for the purpose of investigation till its

completion and at the same time, to furnish an undertaking to not involve himself in similar criminal activities, while on bail.

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

(R.K. Pattanaik)
Judge

Rojina

Signature Not Verified
Digitally Signed
Signed by: ROJINA SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: OHC, CTC
Date: 09-Apr-2026 13:49:00