IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4305 of 2026
CNR No. ODHC010256342026

Suratha Behera @ Surath … ***Petitioner***

Mr. T.P. Mohapatra, Advocate

-versus-

State of Odisha … ***Opposite Party***

Mr. S.N. Biswal, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)
31.10.2026

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is an application U/S.482 of BNSS by the petitioner for grant of anticipatory bail to him in connection with GR Case No.102 of 2026 arising out of Krushnaprasad PS Case No.27 of 2026 pending in the file of learned JMFC (Cog-II), Puri, for commission of offences punishable U/Ss.279/326(b) of BNS r/w Section 3 of PDPP Act, on the main allegation of constructing unauthorized gherry in the outer of Chilika Lake under Krushnaprasad Mouza and doing prawn culture by using poultry manure and harmful chemicals.

3. Heard, Mr. Tara Prasad Mohapatra, learned counsel for the petitioner and Mr. S.N. Biswal, learned Additional Public Prosecutor in the present matter and perused the record.

4. After having considered the rival submissions and upon perusal of record, no doubt there appears allegation against the petitioner for constructing

unauthorized gherry and doing prawn culture, but the offences alleged against the petitioner are not punishable beyond 5 years. In such situation and the petitioner having not yet been arrested even after near about 10 months of registration of the FIR and taking into account the law laid down by the Apex Court in ***Satender Kumar Antil Vrs. Central Bureau of Investigation; (2022) 10 SCC 51***, it is directed that in the event of arrest of the petitioner, he shall be released on bail by the Arresting Officer on such terms and conditions as deems fit and proper by him including the following conditions:-

> *(i) the petitioner shall make himself available for interrogation as and when required by the IO,*
>
> *(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and*
>
> *(iii) the petitioner shall not leave the Country without prior permission of the Court.*

5. Accordingly, the ABLAPL stands disposed of. Issue urgent certified copy of the order as per Rules.

Signature Not Verified
Digitally Signed
Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 31-Oct-2026 16:49:01

(G. Satapathy)
Judge

Priyajit