IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6403 of 2026
CNR No. ODHC010284792026

Sampad Kumar Swain .... ***Petitioner***

Mr. K. Gaya, Advocate

-versus-

1. ***State of Odisha***
2. ***Rabi Narayan Panigrahi***

.... ***Opposite Parties***

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

CORAM: JUSTICE V. NARASINGH

ORDER
29.10.2026

Order No.

02. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is seeking pre-arrest bail in connection with C.T. Case No.875 of 2025 pending on the file of learned J.M.F.C.-I (Cog. Taking), Bhubaneswar, arising out of Lingaraj PS Case No.297 of 2025 for commission of offences punishable under Sections 318(4)/296/351(2) of BNS, 2023.

3. It is submitted by the learned counsel that a commercial transaction is being given the colour of criminality and the Petitioner has been cited as an accused. Hence, the Petitioner may be protected by pre-arrest bail.

4. It is further submitted by the learned counsel that notwithstanding the pendency of the matter some amount has already been paid to the informant which prima facie shows the bona fides of the Petitioner.

5. Learned counsel for the State as well as informant oppose the prayer for pre-arrest bail, inter alia, referring to the criminal antecedents.

And, the learned counsel for the informant also disputes regarding the quantum of the payment which has been stated to have been made.

6. It is also seen that the present Petitioner was before this Court in ABALPL No.12824 of 2025 and vide order dated 14.11.2025 taking into account the 11 criminal antecedents of the Petitioner, this Court was not inclined to entertain his application for pre-arrest bail. And, as such there is no change in circumstances.

For convenience of the reference, the criminal antecedents of the Petitioner are extracted hereunder:-

> "(I) Shree Lingaraj PS Case No.248, Dt.27.09.2022, U/s-420/506 IPC.
> (II) Badagad PS Case No.113. Dt.05.04.2021, U/s-294/406/420/468/506 IPC.
> (III) Badagad PS Case No.546, Dt.05.10.2023, U/s-294/ 419/ 420/ 468/ 506/ 34 IPC.
> (IV) Madhupatna PS Case No.285, Dt.20.08.2023, U/s-420 IPC.

(V) Jagatsinghpur Town PS Case No.829, Dt.21.12.2023. U/s- 294/ 420/ 467/ 468/ 506 IPC.
(VI) Jagatsinghpur Town PS Case No.612, Dt.22.09.2023, U/s-420/34 IPC.
(VII) Jagatsinghpur Town PS Case No. 103, Dt.28.02.2021, U/s-420/ 467/ 468/ 469/ 470/ 471/ 506/ 34 IPC.
(VIII) Jagatsinghpur Town PS Case No.65, Dt.10.02.2021, U/s-294/394/506/34 IPC.
(IX) Jagatsinghpur Town PS Case No.35, Dt.29.01.2021, U/s-294/341/420/506/34 IPC.
(X) Gopalprasad PS Case No.290. Dt.29.09.2024, U/s-296/ 115(2)/ 351(2)/ 3(5) BNS.
(XI) Balikuda PS Case No.78, Dt.17.02.2023, U/s-294/ 341/ 354/ 420/ 506/ 34 IPC."

7. In view of the same, this Court is not inclined to entertain this application to grant "exceptional remedy" of pre-arrest bail.

8. Accordingly, the ABLAPL stands disposed of.

U.C.C. as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
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Reason: Authentication
Location: High Court of Orissa
Date: 30-Oct-2026 17:24:47