IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 10508 of 2026
CNR No.ODHC010696522026

1. Chana @ Salma Bibi …. ***Petitioners***
2. Sk. Raja
3. Babu @ Sk. Samadani
4. Sk. Sobani

Mr. P.C. Dash, Advocate

-versus-

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

Mr. A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.11.2026

Order No.

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

2. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.783 of 2026 pending on the file of learned Civil Judge (Jr. Division-cum-JMFC, Pattamundai, arising out of Pattamundai P.S. Case No.371 of 2026 for commission of offences punishable under Sections 115(2)/ 118(2)/ 303(2)/ 3(5) of BNS, 2023.

3. It is submitted by the learned counsel for the Petitioners that omnibus allegations have been made. Hence, Petitioners may be protected by pre-arrest bail.

4. Learned counsel for the State opposes the prayer for pre-arrest bail inter alia referring to the statement of the injured and the injury suffered.

5. It is seen that the injured suffered seven injuries out of which one is a fracture.

6. This Court perused the statement of the injured and the materials on record.

7. Considering the nature of allegations and the manner in which the injuries have been inflicted as rightly pointed out by the learned counsel for the State, it is not possible to segregate the assailants at this stage.

8. Taking into account that Petitioner No.1 is a lady, it is directed that on surrendering within three weeks hence and moving for bail, Petitioner No.1 (Chana @ Salma Bibi) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

9. It is needless to state that the Petitioner No.1 shall cooperate with the ongoing investigation.

10. So far as Petitioner Nos.2 & 3 are concerned taking into account the nature of allegations, this Court is not inclined to entertain the ABLAPL in respect of the said Petitioner Nos.2 & 3 (Sk. Raja & Babu @ Sk. Samadani) respectively. However, Petitioner Nos.2 & 3 may surrender before the learned Civil Judge (Jr. Division-cum-JMFC,

Pattamundai in connection with the aforementioned case within one month from today.

In the event of their surrender and motion for bail, the same be considered by the learned Civil Judge (Jr. Division-cum-JMFC, Pattamundai on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned Civil Judge (Jr. Division-cum-JMFC, Pattamundai, the Petitioner Nos.2 & 3 are at liberty to move the higher forum for bail in the second hour on the same day.

11. On being so moved, the higher forum is requested to make an endeavour to dispose of the bail application of the Petitioner Nos.2 & 3 on the same day.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of Petitioner Nos.2 & 3 and learned Civil Judge (Jr. Division-cum-JMFC, Pattamundai is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

Ground of parity, if any, may be considered by the learned Court(s) below.

12. So far as Petitioner No.4 is concerned, taking into account the complicity attributed to him notwithstanding his age, this Court is not inclined to

entertain this application in respect of the Petitioner No.4 (Sk. Sobani). However, in the event the said Petitioner No.4 surrenders before the learned Court in seisin in the aforesaid case and moves an application for his release on bail, the same shall be considered on its own merit.

13. Accordingly, the ABLAPL stands disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Ayesha

Signature Not Verified
Digitally Signed
Signed by: AYESHA ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 11-Nov-2026 18:24:34