IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10792 of 2026
CNR No. ODHC010714772026

Subal Bhoina .... ***Petitioner***

Mr. R. K. Swain, Advocate

-versus-

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

Mr. S. C. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
25.11.2026

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 G.R. Case No.213 of 2026 pending on the file of learned SDJM, Sonepur, arising out of Sonepur P.S. Case No.237 of 2026 for commission of offences punishable under Sections 310(2) of BNS, 2023.

3. It is submitted by the learned counsel that the basis of implication is on account of the co-accused statement and since the Petitioner do not have any criminal proclivity, he may be protected by pre-arrest bail.

4. It is trite that there is no bar to take into account the statement of the co-accused as the primary consideration of bail.

Reference in this regard can be respectfully made to the judgment of the Apex Court in the case of ***Kalyan Chandra Sarkar v. Rajesh Ranjan,*** **(2004) 7 SCC 528** which has stood the test of time.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Taking into account the nature of allegations and the role ascribed to the Petitioner, this Court is not inclined to entertain the application for pre-arrest bail. However, the Petitioner may surrender before the learned SDJM, Sonepur in connection with the aforementioned case within one month from today.

In the event of his surrender and motion for bail, the same be considered by the learned SDJM, Sonepur on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned SDJM, Sonepur, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

7. On being so moved, the higher forum is requested to make an endeavor to dispose of the bail application of the Petitioner on the same day.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner and learned SDJM,

Sonepur is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

The forums below are requested to verify the criminal antecedents of the Petitioner.

If it comes to the fore that the Petitioner has any criminal antecedents, this order shall not be given effect to.

8. Accordingly, the ABLAPL stands disposed of.

U.C.C. as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 26-Nov-2026 19:15:32