IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.12060 of 2026
CNR No. ODHC010738322026

Omm Prakash Beura and another ..... ***Petitioners***

Represented by Adv. - Sanjit Mishra

-versus-

State Of Odisha ..... ***Opposite Parties***

Represented by Adv. - Mr. P. S. Nayak, AGA

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
23.10.2026

Order No.

01. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the Petitioners and learned counsel for the State. Perused the anticipatory bail application as well as the F.I.R.

3. This is an application under Section 482 of the B.N.S.S., 2023 filed by the Petitioners for anticipatory bail, involving offence punishable under Section 306 of B.N.S. Act, 2023 in C.T. Case No. 1291 of 2026 pending in the Court of learned J.M.F.C.-IV, Bhubaneswar arising out of Laxmisagar P.S. Case

4. It is stated by the learned counsel for the Petitioners that the stolen articles have already been recovered in the meantime. He further contended that nothing was recovered from the possession of the present Petitioners. The learned counsel for the Petitioners further submitted that although the stolen money was recovered from the mother of the present Petitioners, the Petitioners were falsely implicated in the present case.

5. The learned counsel for the State-Opposite Party on the other hand, objected the prayer of the Petitioners on bail on the ground that a case is made out against the present Petitioners under Section 306 of the BNS, 2023.

6. Considering such submissions from the learned counsels of both the sides, on a careful examination of the background facts and the Petitioners have no criminal antecedent, this Court directs the Petitioners to surrender before the learned court in seisin over the matter within a period of four weeks from today and move an application for bail. In such eventuality, learned court in seisin over the matter shall release the Petitioner on bail subject to such terms and conditions as the learned Magistrate may deem just and proper. Violation of any of the terms and conditions shall entail cancellation of the bail.

7. It is further directed that the bail granted to the Petitioners shall be subject to the verification of their criminal antecedents. In the event, the Petitioners are having any criminal antecedents, then this order shall stand automatically revoked.

8. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Vacation Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, cuttack
Date: 25-Oct-2026 19:27:02