IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11822 of 2026
CNR No.ODHC010782342026

Gudu @ Nalinikanta Mohanty ... ***Petitioner***

Ms. D. Mahapatra, Advocate

-versus-

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

Mr. S.N. Biswal, Addl. PP
Mr. B.P. Pradhan, Advocate(Informant)

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL)
16.11.2026

Order No.

04. 1. This is an application U/S.482 of BNSS by the petitioner for grant of anticipatory bail to him in connection with CT Case No.2630 of 2026 arising out of Mancheswar PS Case No.753 of 2026 pending in the file of learned JMFC-II, Bhubaneswar for commission of offences punishable U/Ss. 115(2)/ 296/ 3(5)/ 324(2)/ 329(3)/ 351(3)/111(2)(b) of BNS, on the main allegation of attacking the informant, along with his father and uncle and security guards and not allowing all the land owners by forcibly constructing a gate on the road and employing security guards thereon.

2. Heard, Ms. Deepali Mahapatra, learned counsel for the petitioner; Mr. Bishnu Prasad Pradhan, learned counsel for the Informant and Mr. S.N. Biswal, learned Additional Public Prosecutor in the present matter and perused the record. It is specifically contended on behalf of the State and the Informant that the Petitioner is an

habitual offender and he may not be admitted to pre-arrest bail.

3. After having considered the rival submissions and upon perusal of record, it appears that FIR has been registered against the Petitioner for commission of offence U/Ss. 115(2)/ 296/ 3(5)/ 324(2)/ 329(3)/ 351(3) of BNS, but all the offences as stated in the FIR are triable by Magistrate, however, later on the co-accused has been forwarded to the Court for the above offences along with Sec. 111(2)(b) of the BNS which is punishable not less than 5 years, but may extend to imprisonment for life. The co-accused-father who was forwarded to the Court with the aid of Sec. 111(2)(b) of BNS has already been granted bail by the learned Sessions Judge, Khurda in BA No. 2588 of 2026. It is, however, claimed by the State that the Petitioner is involved in eight criminal cases, but it could not be denied by any of the parties that some of the cases are registered against the Petitioner after registration of the present case against him. The allegation against the Petitioner, however, emanates from land dispute.

4. In the aforesaid facts and situation and on consideration of the materials placed on record together with allegation leveled against the petitioner and keeping in view grant of bail to co-accused Tarunkanta Mohanty @ Tarua and taking into account the inherent right of the accused to be presumed innocent until proven guilty at the trial, this Court without expressing

any view on merits admits Petitioner to pre-arrest bail, but subject to certain conditions.

5. Hence, the prayer for pre-arrest bail of the Petitioner stands allowed and it is accordingly, directed that in the event of the 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 not threaten the informant;*
> *(ii) the petitioner shall not interfere in the possession of the informant over his own land;*
> *(iii) the petitioner shall cooperate the investigation as and when required by appearing before the IO;*
> *(iv) 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*
> *(v) the petitioner shall not leave the Country without prior permission of the Court.*

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

(G. Satapathy)
Judge

Signature Not Verified
Digitally Signed
Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 16-Nov-2026 17:54:21