IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.11965 of 2026
CNR No. ODHC010796892026

1) Sipu @ Subrat Kumar Sahoo ..... ***Petitioners***
2) Prabin Bhoi @ Kalia

Represented by Adv. –
Mr. Biraja Prasad Nanda

-versus-

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

Represented by Adv. –

Mr. Aurobinda Mohanty, ASC

CORAM:
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 as well as learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the Anticipatory Bail Application as well as the F.I.R.

3. The present application has been filed under Section 482 of B.N.S.S., 2023 by the Petitioners seeking pre-arrest bail in connection with Colliery P.S. Case No.615 of 2026, corresponding to G.R. (C.T.) Case No.1536 of 2026, pending in the court of the learned J.M.F.C. (Cog. Taking), Talcher, registered for alleged commission of offences punishable under Sections 303(2), 61(2) & 3(5) of BNS, 2023 read with Section

21 of the MMDR Act, 1957, Section 12 of the Orissa Minerals (Prevention of Theft, Smuggling and Others Unlawful Activities) Act, 1988 and Section 51 of the OMMC Rules, 2016.

4. Learned counsel for the Petitioners, at the outset, submitted that the Petitioners do not want to press this bail application and seeks liberty to surrender before the court below and move an application for bail.

5. Considering such submissions, the Petitioners are permitted to surrender before the court in seisin over the matter within a period of four weeks from today and move an application for bail. In such eventuality, the court in seisin over the matter shall release the Petitioners on bail on such terms and conditions as it may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedent of the Petitioners. In the event it is found by the court below that the Petitioner No.1 is having more than one criminal antecedent or the Petitioner No.2 is having any criminal antecedent, then this order shall automatically stand revoked.

6. While imposing conditions, the court in seisin over the matter shall also impose the following additional conditions:-

(i) Petitioners shall not indulge in similar criminal activities while on bail; and

(ii) Petitioner No.1 shall furnish a cash security

of Rs.2,000/- (Rupees two thousand) before the court in seisin over the matter which shall be kept in interest bearing fixed deposit account in the name of the court in any nationalized bank for a period of one year which shall be renewed from time to time till disposal of the case. The said deposit shall be subject to the final outcome of the trial.

Violation of any of the conditions imposed either by this Court or the court in seisin over the matter shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(Aditya Kumar Mohapatra)
Vacation Judge

Debasis

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 23-Oct-2026 20:10:28