IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12543 of 2026
CNR No. ODHC010801152026

1. Swadhin Dalei .... ***Petitioners***
2. Shankarshan Daiei
3. Trilokesh Daiei

Mr. S.S. Samantaray, Advocate

-versus-

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

Mr. A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

04.11.2026

Order No.

01. 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.522 of 2025, pending on the file of learned S.D.J.M., Biramaharajpur, arising out of Biramaharajpur P.S. Case No.226 of 2025 for commission of offences punishable under Sections 119(2)/118(2)/126(2)/109(2)/3(5) of the BNS, 2023.

3. It is submitted by learned counsel for the Petitioners that the present Petitioners were before this Court in ABLAPL No.13145 of 2025, which was disposed of by order dated 20.05.2026, granting them liberty to surrender and move for bail.

It is further submitted that, because of overwhelming circumstances, the Petitioners could not avail such order.

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

5. Taking into account the nature of allegations, this Court is not inclined to entertain this ABLAPL for pre-arrest bail.

However, it is directed that the Petitioners may surrender before the learned S.D.J.M., Biramaharajpur, 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 S.D.J.M., Biramaharajpur, on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned S.D.J.M., Biramaharajpur, the Petitioners are at liberty to move the higher forum for bail in the second hour on the same day.

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

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioners and learned S.D.J.M., Biramaharajpur, 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.

7. Learned Court in seisin is requested to verify that the Petitioners do not have more than one criminal antecedent. If it comes to fore that the Petitioners have more than one 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

Mili

Signature Not Verified
Digitally Signed
Signed by: MILI MAHARANA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 06-Nov-2026 17:21:14