IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12432 of 2026

CNR No. ODHC010816932026

Prakash Sahoo …. ***Petitioner***

Mr. A. Mishra, Advocate

-versus-

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

Mr. A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

31.10.2026

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is seeking pre-arrest bail in connection with Spl. G.R. Case No.69 of 2024 pending on the file of learned Addl. Sessions Judge-cum-Special Judge, Jajpur Road, arising out of Panikoili P.S. Case No.370 of 2024 for commission of offences punishable under Sections 333/ 296/ 118(1)/ 109(1)/ 115(2)/ 74/ 75/ 351(2)/ 3(5) of B.N.S.2023 read with Section 3(1)(r)/3(1)(s)/3(2)(va) of SC & ST (PGA) Act.

3. It is submitted by the learned counsel for the Petitioner that the accusation under Sections 118(1) of BNS as well as 109(1) of BNS are not attributable to the Petitioner, even if the entire prosecution case is accepted at its face value and he has been cited as

an accused only because he is stated to have instigated for the commission of the offence.

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

5. Considering the submissions and keeping in view that one accusation is under the SC & ST (PoA) Act, in the light of the order passed by this Court in the case of ***Pramod Kumar Ray and others Vrs. State of Odisha***, ***(2017) 67 OCR 309***, this ABLAPL is disposed of with the following directions.

The Petitioner shall surrender before the learned Court in seisin in the aforesaid case within three weeks from today. Seven days before the surrender of the Petitioner before the said Court, the Petitioner or his counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor/Special Public Prosecutor, as required by him, for the purpose of notice to the Victim and/or Informant.

6. Taking into consideration the nature of the offence as alleged against the Petitioner, it is directed that the Petitioner shall be released on **interim bail** by the learned Court in seisin, on the same day he surrenders in the aforesaid case, pending disposal of the bail application on merit, on such terms and conditions as deemed just and proper including the following conditions:-

I) The Petitioner shall appear before the I.O. once in a week on the date and time fixed by the said I.O. until further order by the learned Court in seisin;

II) The Petitioner shall not threaten, induce or coerce any witnesses of this case or the Victim; and

III) The Petitioner shall not involve himself in similar or any other offence during currency of this order.

7. Within two weeks of appearance of the Victim and/or Informant, the matter shall be considered and disposed of on its own merits.

8. The ABLAPL accordingly stands disposed of.

(V. NARASINGH)
Judge

Ayesha

Signature Not Verified
Digitally Signed
Signed by: AYESHA ROUT
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 31-Oct-2026 16:55:35