IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.12179 of 2026
CNR No. ODHC010817232026

Subrat Nayak @ Gudu ..... ***Petitioner***

Represented by Adv. –
Mr. Mitu Kumar Biswal

-versus-

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

Represented by Adv. –

Mr. R.B. Dash, 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 Petitioner as well as learned counsel 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 Petitioner seeking pre-arrest bail in connection with Dhenkanal Sadar P.S. Case No.684 of 2025, corresponding to G.R. Case No.1238 of 2025, pending in the court of the learned S.D.J.M., Dhenkanal, registered for alleged commission of offence punishable under Section 310(2) of the BNS, 2023.

4. Learned counsel for the Petitioner, at the outset, submitted that the Petitioner does not want to press this bail application and seeks

liberty to surrender before the court below and move an application for bail. He further submitted that some of the co-accused persons, who stand in similar footing with the present Petitioner, have already been released on bail in the meantime. He also submitted that charge sheet in this case has already been filed.

5. Taking into consideration the nature and gravity of the allegation and on the request of the learned counsel for the Petitioners, the Petitioner is permitted to surrender before the learned S.D.J.M., Dhenkanal in the aforesaid case in the first hour within four weeks hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

6. The case diary be made available on the date of surrender on an application being filed by the Petitioner prior to his date of surrender along with a copy of today's order. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

7. The ABLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

Signature Not Verified
Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 25-Oct-2026 09:21:29

(Aditya Kumar Mohapatra)
Vacation Judge