IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 12206 of 2026
CNR No. ODHC010819762026

1. Jugal Naik …. ***Petitioners***
2. Niranjan Padhan
3. Biranchi Beriha

Mr. S. Sourav, Advocate

-versus-

State of Orissa …. ***Opposite Party***

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
27.10.2026

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.158 of 2023 pending on the file of learned S.D.J.M., Birmaharajpur arising out of Birmaharajpur P.S. Case No.38 of 2023 for commission of offences punishable under Section 294/307/379/147/148/149 of IPC read with Sections 25/27 of Arms Act.

3. It is submitted by the learned counsel for the Petitioners that Petitioner No.2 is not a named accused. Hence, he is on a different footing qua the co-accused.

4. Such submission is opposed by the learned counsel for the State inter alia on the ground that he has been named by the injured Surjya Narayan Hota.

5. It is trite that FIR is not an encyclopedia.

6. It is apt to note that this Court had occasioned to go through the materials on record while considering the bail application of one Gourahari Sahu which was disposed of by order dated 07.10.2026 in ABLAPL No10995 of 2026.

7. Taking into account the statement of the Bar that the Petitioner have no antecedent, while this Court is not inclined to entertain the ABLAPL, it is directed that the Petitioners may surrender before the learned S.D.J.M., Birmaharajpur 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., Birmaharajpur 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., Birmaharajpur, the Petitioners are at liberty to move the higher forum for bail in the second hour on the same day.

8. 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 be made available to the concerned courts to facilitate disposal of the bail application of the Petitioners and learned S.D.J.M., Birmaharajpur 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.

9. The ABLAPL is accordingly disposed of. U.C.C. as per rules.

(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: 28-Oct-2026 18:40:47