IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12259 of 2026
CNR No. ODHC010821092026

Aman Kumar Yadav @ Aman Yadav .... ***Petitioner***

Mr. U. S. Patel, Advocate

-versus-

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

Mr. S. K. Lenka, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.10.2026

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 G.R. Case No.416 of 2026 pending on the file of learned Civil Judge-cum-J.M.F.C., Hemgir, arising out of Hemgir P.S Case No.422 of 2026 for commission of offences punishable under Sections 126(2)/115(2)/109(1)/3(5) of BNS.

3. It is submitted by the learned counsel that the present Petitioner along with the co-accused was before this Court in ABLAPL No.10649 of 2026 which was taken up along with ABLAPL No.10896 of 2026 (Abhisek Kumar Deo). This Court while releasing the Petitioner (Abhisek Kumar Deo) in ABLAPL No.10896 of 2026 and the Petitioner No.2 (Ritesh Kumar @

Ritesh Yadav) in ABLAPL No.10649 of 2026, vide order dated 25.09.2026 rejected the bail application of the present Petitioner taking into account his criminal antecedents which are reflected in Paragraph No.5 of the said order.

For brevity the said Paragraph is extracted hereunder:-

> "xxx xxx xxx
> 5. Learned counsel for the State opposes the prayer for pre-arrest bail inter alia on the ground that Petitioner No.1 in ABLAPL No.10649 of 2026 has the following criminal antecedents:-
>
> i) Hemgir PS Case No.273 dt. 14.06.2025 U/s 126(2)/ 115(2)/ 118(1)/109(1)/304(2)/3(5) BNS
> ii) Sundargada Town PS Case No.40 of 2022 U/s-147/ 148/ 149/ 201/294/307/395/506 IPC r.w 3(1)(r)(s)/3(2)(v) SC & ST PoA Act.
> iii) Sundargada Town PS Case No.22/2023 U/s294/307/395/506 IPC r.w 25/27 Arms Act,/ r.w 3(1)(s)/3(2)(v) SC & ST PoA Act.
>
> xxx xxx xxx"

4. It is submitted by the learned counsel that, in the meanwhile, the Petitioner has been acquitted in the cases of Serial. Nos.(ii) and (iii) of the said order. Hence, this application.

5. It is apt to note that notwithstanding the acquittal, the Petitioner has been cited as an accused

in Hemgir PS Case No.273 dt. 14.06.2025 which is, inter alia, under Sections 118(1) and 109(1) of BNS.

6. Referring to the same, learned counsel for the State opposes the prayer for pre-arrest bail.

7. This Court had taken note of the fact that there are three injured persons and each of them have suffered several injuries though categorised as simple in nature.

8. Considering the rival submissions in the light of the criminal proclivity of the Petitioner, this Court is not inclined to entertain the application for pre-arrest bail. However, it is directed that the Petitioner may surrender before the learned Civil Judge-cum-J.M.F.C., Hemgir in connection with the aforementioned case within one month from today.

In the event of his surrender and motion for bail, the same be considered by the learned Civil Judge-cum-J.M.F.C., Hemgir on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned Civil Judge-cum-J.M.F.C., Hemgir, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

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

The case diary shall be made available to the concerned courts to facilitate disposal of the bail

application of the Petitioner and learned Civil Judge-cum-J.M.F.C., Hemgir 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.

10. Accordingly, the ABLAPL stands disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 28-Oct-2026 19:09:05