IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12288 of 2026
CNR No. ODHC010821802026

1. Dipesh Kumar Behera @ Dipesh Ku Behera
2. Durgesh Senapati @ Om Senapati .... ***Petitioners***

Mr. A. Tripathy, Advocate

-versus-

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

Mr. S. Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.10.2026

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.1171 of 2026 pending on the file of learned S.D.J.M., Chhatrapur, arising out of Chhatrapur P.S. Case No.460 of 2026 for commission of offences punishable under Sections 333/ 115(2)/ 303(2)/ 3(5)/ 117 of the BNS, 2023.

3. It is submitted by the learned counsel that even if the entire allegations are accepted at its face value ex facie they are highly improbable and exaggerated.

Hence, the Petitioners may be protected by pre-arrest bail.

4. Learned counsel for the State opposes the prayer for pre-arrest bail and submits that Petitioner No.2 has criminal proclivity

5. Considering the rival submissions, this Court directs that on surrendering within three weeks hence and moving for bail, the Petitioner No.1 (Dipesh Kumar Behera @ Dipesh Ku Behera) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

6. So far as the ABLAPL in respect of Petitioner No.2 is concerned, taking into account the nature of allegation, this Court is not inclined to entertain the application for pre-arrest bail. However, it is directed that the Petitioner No.2 (Durgesh Senapati @ Om Senapati) may surrender before the learned S.D.J.M., Chhatrapur 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 S.D.J.M., Chhatrapur 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., Chhatrapur, the said Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

7. On being so moved, the higher forum is requested to make an endeavor to dispose of the bail application of the said 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 said Petitioner and learned S.D.J.M., Chhatrapur 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. The forums below are requested to verify the nature of the injury.

If it comes to the fore that the injured has suffered any grievous injury, this order shall not be given effect to.

8. Accordingly, the ABLAPL stands disposed of.

U.C.C. as per rules.

(V. NARASINGH)
Judge

Jina

Signature Not Verified
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Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 29-Oct-2026 19:35:30