IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12583 of 2026
CNR No. ODHC010824732026

Rabinarayan Jena @ Rabi .... ***Petitioner***

Mr. S. Mishra, Advocate

-versus-

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

Mr. C. R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
06.11.2026

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.163 of 2026 pending on the file of learned JMFC, Kanas, arising out of Kanas P.S. Case No.93 of 2026 for commission of offences punishable under Sections 109(1), 115(2), 126(2), 296, 3(5), 303(1), 324(4), 351(3) and 74 of BNS, 2023.

3. It is submitted by the learned counsel that this Court vide order dated 09.10.2026 in ABLAPL No.11259 of 2026 directed the Petitioner to be released on bail on surrendering subject to verification of criminal antecedent and nature of the injury.

4. It is stated that though the injury suffered is categorized as simple, the Petitioner has criminal antecedent of similar nature. Hence, this application.

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

6. Considering the criminal proclivity of the Petitioner, this Court is not inclined to entertain the application for grant of "exceptional remedy" of pre-arrest bail. However, the Petitioner may surrender before the learned JMFC, Kanas 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 JMFC, Kanas on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned JMFC, Kanas, the 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 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 JMFC, Kanas is called upon to transmit the case record to the higher forum in the second hour expeditiously in the event of rejection of the bail application by him.

Ground of parity, if any, may be considered by the learned court(s) below.

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: 06-Nov-2026 17:46:03