IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 12278 of 2026
CNR No. ODHC010825372026

1. Parbati Behera …. ***Petitioners***
2. Laxmidhar Behera

Mr. R.N. Rout, Advocate

-versus-

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

Mr. S. Panigrahi, 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.593 of 2026 pending on the file of the learned J.M.F.C., Chandbali arising out of Bansada P.S. Case No.239 of 2026, for commission of offences punishable under sections 109(1)/ 115(2)/ 117(2)/ 3(5) of BNS, 2023.

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

4. Taking into account the nature of allegations and the role ascribed to Petitioner No.1, this Court directs that on surrendering within three weeks hence and moving for bail, Petitioner No.1 (Parbati Behera)

shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

5. It is needless to state that the Petitioner No.1 shall cooperate with the ongoing investigation.

6. Considering the tenor of the FIR and that the overt act is prima facie attributed to Petitioner No.2, this Court is not inclined to entertain the ABLAPL in respect of the Petitioner No.2 (Laxmidhar Behera).

However, it is directed that Petitioner No.2 may surrender before the learned J.M.F.C., Chandbali 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 J.M.F.C., Chandbali on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned J.M.F.C., Chandbali, Petitioner No.2 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 endeavour to dispose of the bail application of Petitioner No.2 on the same day.

The case diary shall be made available to the concerned courts to facilitate disposal of the bail application of Petitioner No.2 and learned J.M.F.C., Chandbali 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.

8. Learned Court in seisin is requested to verify the injury report. If it comes to the fore that the injury suffered by the injured is grievous, this order shall not be given effect to in respect of Petitioner No.2.

9. Accordingly, the ABLAPL stands 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: 29-Oct-2026 12:53:56