IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.12708 of 2026
CNR No. ODHC010832592026

1.Alok Nishank .... ***Petitioners***
2.Miti Nishank @ Dei
3.Jinu Nishank
4.Radhu Nishank
5.Pabitra Nishank
6.Manas Nishank
7.Prasanna Dalasingh
8.Dhedu Nishank
9.Chitu Nishank
10.Badal Nishank
11.Madhu Nishank
12.Abhina Dalasingh @ Abhimanyu Dalasingh
13.Swadhina Nishank @ Gedu Nishank

Mr. A. Sahoo, Advocate

-versus-

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

Mr. S. Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.11.2026

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.797 of 2019 pending on the file of learned JMFC, Kanas, arising out of Gadisagada (Jodapadar) P.S. Case No.38 of 2019

for commission of offences punishable under Sections 147/ 148/ 341/ 323/ 324/ 307/ 294/ 354/ 149 of the IPC.

3. It is submitted that so far as the Petitioner Nos.1 to 7 (Alok Nishank, Miti Nishank @ Dei, Jinu Nishank, Radhu Nishank, Pabitra Nishank, Manas Nishank and Prasanna Dalasingh, respectively) are concerned, this is their third bail application. So far as the remaining Petitioners are concerned, this is the second motion.

4. It is apt to note that, considering the nature of the allegations, this Court by order dated 02.08.2019 passed in ABLAPL No.7118 of 2019, directed Petitioner Nos.1 to 7 (Alok Nishank, Miti Nishank @ Dei, Jinu Nishank, Radhu Nishank, Pabitra Nishank, Manas Nishank and Prasanna Dalasingh, respectively) to surrender and seek bail.

5. Their second motion was dismissed since they did not take steps in terms of the earlier order dated 02.08.2019.

6. It is submitted by learned counsel for the Petitioners that non-appearance was on account of overwhelming circumstances, and that ought not to weigh with this Court.

7. Considering the rival submissions, this Court is not inclined to entertain this ABLAPL for pre-arrest bail.

However, it is directed that the Petitioners may surrender before the learned JMFC, Kanas, 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 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 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 shall be made available to the concerned courts to facilitate disposal of the bail application of the Petitioners and learned JMFC, Kanas, 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. Learned Court in seisin is requested to verify the criminal antecedent of the Petitioners. If it comes to fore that the Petitioners have any criminal antecedents, this order shall not be given effect to.

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

(V. NARASINGH)
Judge

Mili

Signature Not Verified
Digitally Signed
Signed by: MILI MAHARANA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 11-Nov-2026 18:12:02