IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 12537 of 2026

CNR No. ODHC010833702026

Mukesh Kumar Agrawal @ Manoj Agrawal @ Mukesh Agrawal @ Kalu .... ***Petitioner***

Mr. A.K. Nanda, Advocate

-versus-

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

Mr. A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

04.11.2026

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 Spl. G.R. Case No.41 of 2025, pending on the file of learned Additional Sessions Judge, Padampur arising out of Padampur P.S. Case No.231 of 2025 for commission of offences punishable under Section 111(2)(b)/3(5) of BNS, 2023 read with Sections 21(c)/25/29 of NDPS Act and read with Section 13 of the Drug and Cosmetics Act.

3. This is the second journey of the Petitioner to this Court.

4. It is submitted by the learned counsel for the Petitioner that since the co-accused similarly

circumstanced having criminal antecedent have been allowed to surrender and go on bail, on the ground of parity, Petitioner may be protected by pre-arrest bail.

5. Learned counsel for the State submits that in the meanwhile charge sheet has been filed citing the Petitioner as an absconder, while keeping the investigation open and he also submits that Petitioner has the following criminal antecedents:-

> "i) Paikmalps Case no- 166 dt 10.8.23 u/s 294/323/341/506/34 IPC/ RW SEC-3(i)(r)/3(ii)(v)(a) SC/ST PA ACT
> ii) Paikmalps Case no-183 dt 10.8.23 u/s 274/275/34 IPC
> iii) Paikmalps Case no- 14 dt 5.4.2008 u/s 294/323/341/354/452/506/34 IPC
> iv) Paikmalps Case no- 72 dt 18.5.2018 u/s 395 IPC
> v) Paikmalps Case no-94 dt 16.10.2005 u/s 294/323/341/506 IPC
> vi) Paikmalps Case no- 171 dt 11.7.2024 u/s 109(1)/115(2)/126(2)/296/351(2) BNS
> vii) Paikmalps Case no- 114 dt 30.6.2021 u/s 274/275/34 IPC
> viii) Paikmalps Case no- 70 dt 12.4.2019 u/s 20(b)(ii)(A)/21(b)/29 NDPS ACT
> ix) Paikmalps Case no-67 dt 11.5.2018 323/341/354/506/509 IPC
> x) Padampur PS case No.-231 dt.30.8.2025 U/s 111(2)(b) /3(5) BNS r/w sec 21(C)/25/NDPS/13 DC Act."

6. Considering the nature of allegations and the criminal antecedent of the Petitioner, this Court is not

inclined to entertain this application for pre-arrest bail. However, in the event the Petitioner surrenders before the learned Court in seisin in the aforesaid case and moves an application for his release on bail, the same shall be considered on its own merit.

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

7. Accordingly, the ABLAPL stands disposed of.

(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: 06-Nov-2026 11:36:55