IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.12393 of 2026
CNR No. ODHC010838952026

Chanda Biswal @ Balunkeswar Biswal ..... ***Petitioner***

Represented by Adv. - Mitu Kumar Biswal

-versus-

STATE OF ODISHA ..... ***Opposite Parties***

Represented by Adv. – Mr. T.K. Acharya, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
19.11.2026

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel for the State. Perused the Anticipatory Bail Application as well as the F.I.R.

3. This is an application under Section 482 of the B.N.S.S., 2023 filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 303(2), 326(b), 329(3), 279, 3(5) of BNS read with section 15, 19 of the Environment Protection Act, 1986, Section 3 of Prevention of Damage to Public Property Act, 1984 and section 4(2) of the Wetland Conservation and Management Rules, 2012 in G.R. Case No.932 of 2026 in the Court of learned J.M.F.C., Cog-I, Puri arising out of Krushna Prasad P.S. Case No.231 of 2026.

4. Learned counsel for the Petitioner at this juncture submitted that the Petitioner does not want to press this application and seeks liberty to surrender before the court below and move an application for bail.

5. Considering such submissions, the Petitioner is given liberty to surrender before the learned court in seisin over the matter in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner the same day strictly on the basis of the materials on record, by maintaining the principles of parity, if applicable and taking into account the law laid down by the Hon'ble Apex Court in ***Satender Kumar Antil Vrs. Central Bureau of Investigation; (2022) 10 SCC 5***.

6. The case diary be made available on the date of surrender on an application being filed by the Petitioner prior to his date of surrender along with a copy of today's order. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

7. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

Signature Not Verified
Digitally Signed
Signed by: SISIR KUMAR SETHI
Designation: Personal Assistant
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 23-Nov-2026 15:15:53

SBSI