IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12579 of 2026
CNR No. ODHC010839342026

Abhijita Nayak @ Buka @ Ashribad Nayak .... ***Petitioner***

Mr. S. K. Baral, 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.3006 of 2025 pending on the file of the learned S.D.J.M., Berhampur, Ganjam arising out of Badabazar P.S. Case No.541 of 2025, for commission of offences punishable under Sections 296/115(2)/118(2)/109(1)/3(5) of BNS read with Section 25 and 27 of Arms Act, 1959.

3. It is submitted by the learned counsel that the overt act is not at all attributed to the Petitioner and as such he is on a better footing with the co-accused, who has since been released on bail by this Court in ABLAPL No.12384 of 2026 vide order dated

30.10.2026. Hence, on the ground of parity, the Petitioner may be enlarged on pre-arrest bail.

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

5. Considering the rival submissions, this Court is not inclined to entertain the application for pre-arrest bail. However, the Petitioner may surrender before the learned S.D.J.M., Berhampur, Ganjam 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 S.D.J.M., Berhampur, Ganjam on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned S.D.J.M., Berhampur, Ganjam, the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

6. 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 S.D.J.M., Berhampur, Ganjam 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.

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

(V. NARASINGH)
Judge

Jina

Signature Not Verified
Digitally Signed
Signed by: JINA DIGAL
Reason: Authentication
Location: High Court of Orissa
Date: 06-Nov-2026 17:46:03