IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13240 of 2026
CNR No. ODHC010857082026

Gunu Behera @ Santosh Behera .... ***Petitioner***

Mr. B. Mohanty, Advocate

-versus-

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

Mr. A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

25.11.2026

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.774 of 2026 pending on the file of learned S.D.J.M., Bhanjanagar, arising out of Bhanjanagar P.S Case No.439 of 2026 for commission of offences punishable under Section 333/ 115(2)/ 126(2)/ 109/ 74/ 324(2)/ 351(3)/ 3(5) of BNS.

3. It is submitted by the learned counsel for the Petitioner that because of the counter case exaggerated allegations have been made. Hence, the Petitioner may be protected by pre-arrest bail.

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

5. Considering the nature of allegations, the statement of the victim recorded under Section 183 of BNSS and the order passed in respect of the co-accused persons by order dated 27.08.2026 in ABLAPL No.9779 of 2026 and by common orders dated 19.08.2026 in ABLAPL Nos.6048 & 9469 of 2026, this Court is not inclined to entertain the ABLAPL. However, it is directed that the Petitioner may surrender before the learned S.D.J.M., Bhanjanagar 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., Bhanjanagar 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., Bhanjanagar, the Petitioner are 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 be made available to the concerned courts to facilitate disposal of the bail application of the Petitioner and learned S.D.J.M., Bhanjanagar 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.

7. Learned Court in seisin is requested to verify criminal antecedent of the Petitioner of similar nature. If it comes to the fore that the Petitioner has any such criminal antecedent, this order shall not be given effect to.

8. The ABLAPL is accordingly disposed of. U.C.C. as per rules.

(V. NARASINGH)
Judge

Soumya

Signature Not Verified
Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 26-Nov-2026 15:55:29