IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12782 of 2026

CNR No. ODHC010857462026

1. Smt. Umamani Mahalik … ***Petitioners***
2. Rajesh Mahalik
3: Rakesh Mahalik

Mr.J. Mohapatra, Advocate

-versus-

1. State of Odisha … ***Opposite Parties***
2. Informant

Mr.A.K. Pati, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.11.2026

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.599 of 2026 pending on the file of the learned J.M.F.C., Chandbali, arising out of Bansada P.S. Case No.245 of 2026, for commission of offences punishable under sections 351(3)/64(2)/ 75(2)/3(5) of BNS, 2023.

3. Learned counsel for the Petitioners submits that if the entire prosecution case is accepted at its face value, no complicity can be attached to the Petitioners. Hence, they may be protected by pre-arrest bail.

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

5. Taking into account the nature of allegation and the tenor of the statement of the victim recorded under section 183 of the BNSS, this Court is not inclined to entertain this application of pre-arrest bail to Petitioner No.2-husband (Rajesh Mahalik). However, it is directed that he may surrender before the learned J.M.F.C., Chandbali 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 J.M.F.C., Chandbali on merits, in the first hour of the day.

In the event of rejection of his prayer for bail by the learned J.M.F.C., Chandbali, he 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 be made available to the concerned Courts to facilitate disposal of the bail application of the Petitioner and learned J.M.F.C., Chandbali is called upon to transmit the case record to the higher forum at the earliest in the event of rejection of such bail application.

7. So far as the prayer for pre-arrest bail of Petitioner Nos.1 & 3 is concerned, it is directed that on their surrendering within three weeks hence and

moving for bail, they shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

8. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

Basu

Signature Not Verified
Digitally Signed
Signed by: BASUDEV NAYAK
Designation: Addl. Dy. Registrar-cum-Addl. Pr. Secy
Reason: Authentication
Location: HIGH COURT OF ORISSA : CUTTACK
Date: 13-Nov-2026 12:50:49