IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No. 12956 of 2026
CNR No.ODHC010877772026

Duryodhana Samantaray @ Ranka .... ***Petitioner***

Mr. H. Dhal, Sr. Advocate

-versus-

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

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

13.11.2026

Order No.

01. 1. Heard learned senior 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.1259 of 2025 pending on the file of learned J.M.F.C.(O), Bhubaneswar, arising out of Balipatna P.S. Case No.318 of 2025 for commission of offences punishable under Sections 105 of BNS.

3. It is the submission of the learned senior counsel that ex-facie, the ingredients of the offence are not made out, notwithstanding the order dated 06.10.2026 passed in ABLAPL No.10821 of 2026 granting liberty to the Petitioner to surrender and seek bail before the Courts below.

4. It is further submitted that the Petitioner is entitled to be released on pre-arrest bail by this Court. In this context, he relies on the judgment of

the Apex Court in the case of ***Matin Shankarrao Bhosale Vrs. State of Maharashtra*** reported in **2026 SCC OnLine SC 2353**.

5. It is trite that a judgment has to be understood in the context in which it is made. This Court does not want to lengthen this order by referring to the series of precedents in this regard, suffice it is refer to the decision in ***Haryana Financial Corporation v. Jagdamba Oil Mills,*** **(2002) 3 SCC 496**.

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

7. Considering the nature of allegations and taking into account that on 06.10.2026 this Court had passed an order in ABLAPL No.10821 of 2026 granting liberty to the Petitioner to move for bail before the Courts below, this Court is not persuaded to hold that there is any change in circumstances, while remaining conscious of the fact that there is no embargo against moving a successive bail application, more so in the case of pre-arrest bail.

8. Taking note of the same, this Court is not inclined to entertain this application for pre-arrest bail. However, it is directed that the Petitioner may surrender before the learned J.M.F.C.(O), Bhubaneswar 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.(O), Bhubaneswar on merits, in the first hour of the day.

In the event of rejection of the prayer for bail by the learned J.M.F.C.(O), Bhubaneswar , the Petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

9. 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 J.M.F.C.(O), Bhubaneswar 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.

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

(V. NARASINGH)
Judge

Signature Not Verified
Digitally Signed
Signed by: MILI MAHARANA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 13-Nov-2026 17:52:14