

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.7 OF 2022

Alok Behera

....

Petitioner

Mr.B.S. Rayaguru, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.Samresh Jena, ASC

CORAM:

MR. JUSTICE D.DASH

ORDER

09.11.2022

Order No.

01. 1. This matter is taken up by hybrid arranged (virtual/physical) mode.
2. This is the successive journey of the Petitioner, who, having been implicated in connection with Angul Town P.S. Case No.1014 of 2020 corresponding to G.R. Case No.1659 of 2020 pending on the file of learned S.D.J.M., Angul, running for alleged commission of offence under Section 341/323/324/307/34 of the IPC read with section 25/27 of the Arms Act, has filed this application under Section-438 of the Cr.P.C. for his release on bail in the above mentioned case.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions made and on going through the materials on record, as also the surrounding circumstances; while being not inclined to grant anticipatory bail to the Petitioner; the Application stands disposed of with

the observation that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case and moves for his release on bail, the same shall be considered on its own merit; further taking into account the factum of release of co-accused persons on bail, if similarly situated with the Petitioner on the ground of parity, as per law and disposed of in accordance with law without being prejudiced by this order during the first hour of the day so as to enable the Petitioner to approach the next higher forum during the course of the day, in case necessity so arises unless there stands any legal impediment.

The case records be made available at the cost of the Petitioner.

4. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Basu