

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.45 of 2022

Thabira Saraf and others Petitioners
Mr. J. Sahoo, Advocate

-Versus-

State of Odisha Opposite Party
Mr. P.C. Das, Additional Standing Counsel

CORAM:
MR. JUSTICE A.K. MOHAPATRA

ORDER
28.01.2022

Order
No.

01. 1. This matter is taken up through video conferencing mode.
2. Heard learned counsel for the Petitioners and learned Additional Standing Counsel for the State.
3. Considering the nature of allegations made against the Petitioner Nos.2, 3 and 4, it is directed that in the event the Petitioner Nos.2, 3 and 4 surrender before the learned J.M.F.C., Muribahal, in G.R. Case No.197 of 2021, arising out of Muribahal P.S. Case No.205 of 2021, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper.
4. As regard Petitioner No.1-Thabira Saraf is concerned, this Court is not inclined to grant anticipatory bail to the Petitioner No.1 is granted liberty to surrender before the learned J.M.F.C., Muribahal in the aforesaid case in the first hour within 21 days hence and move for bail. On such event,

the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner No.1 may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner No.1 on the same day strictly on the basis of the materials on record.

6. Case Diary be made available to the concerned courts. Record be transmitted to the higher forum at the cost of the Petitioner No.1, if applied for.

7. Accordingly, the ABLAPL is disposed of.

8. As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25 March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(A.K. Mohapatra)
Judge