

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.194 of 2022

Monaj Benia @ Beniy* *Petitioner

Mr.J.K. Khuntia, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Tapas Kumar Praharaj,
Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
31.01.2022**

Order No.

01.

This matter is taken up through video conferencing.

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Sunabeda P.S. Case No. 117 of 2021 corresponding to G.R. Case No. 616 of 2021 pending in the Court of learned S.D.J.M., Koraput for the commission of the alleged offences punishable under sections 399 and 402 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that the co-accused, who was arrested from the spot has already been released on bail and the implication of the petitioner in the

case is based on the confessional statement of the co-accused before police and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties and the nature of accusation, while not inclining to grant anticipatory bail to the petitioner, it is ordered that in the event the petitioner surrenders and moves for bail in the Court below within a period of four weeks from today, the same shall be disposed of by the learned Courts below in accordance with law expeditiously and the claim of parity with the co-accused person, who is stated to have been released on bail shall be taken into account. The case records shall be made available to the Court concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Parties may utilize the 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 office order dated 7th January 2022.

(S.K. Sahoo)
Judge

PKSahoo