

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.328 of 2022

Makara @ Mahesh Dalei* *Petitioner

Mr.J. K. Majhi, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. A.K. Behera,
Addl. Standing Counsel*

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

**ORDER
07.04.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

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 Chandipur P.S. Case No. 58 of 2021 corresponding to C.T. Case No. 557 of 2021 pending in the Court of learned S.D.J.M., Balasore for the commission of the alleged offences punishable under sections 272/273/34 of the Indian Penal Code read with section 52(a) of the Odisha Excise Act.

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

Learned counsel for the State on instruction submitted that there are as many as two criminal antecedents against the petitioner.

Since there are two criminal antecedents against the petitioner as submitted by the learned counsel for the State, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders and moves for bail in the Court below within a period of four weeks from today, the learned Courts below shall dispose of the same in accordance with law expeditiously and if any co-accused has been released on bail in the meantime, the claim of parity shall be taken into account. The case records be made available before the Courts concerned for adjudication of the bail application.

The ABLAPL stands disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge