

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.338 of 2022

Gouri Gouda

....

Petitioner

Mr. G.K. Nayak, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. A.Das,

Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

01.02.2022

Order No.

01.

This matter is taken up through Video Conferencing Mode.

Heard 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 Bhanjanagar P.S. Case No.89 of 2000 corresponding to G.R. Case No.239 of 2000 pending in the court of learned S.D.J.M., Bhanjanagar for alleged commission of offences under sections 341/294/324/323/307/506 of the Indian Penal Code.

In view of the nature of the accusation against the petitioner and since it is a case of the year 2000 and the petitioner has approached this Court after twenty one years of lodging of the first information report, I am not

inclined to release the petitioner on bail.

Learned counsel for the petitioner submits that similarly situated co-accused has already been released on bail by this Court and the petitioner may be permitted to surrender in the Court below and move for bail and the claim of parity may be taken into account while adjudicating the bail application.

Considering the submissions made by the learned counsel for the petitioner, it is ordered that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously and while disposing of the bail application, the learned Court below shall consider the claim of parity with the co-accused person as well as the proviso to section 437(1) of Cr.P.C. The case records shall be made available to the Court concerned.

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

