

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 339 of 2022**

**Gobinda Das**

....

***Petitioner***

Mr.A.C. Behera, *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 by 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 Khaira P.S. Case No.01 of 2022 corresponding to C.T. Case No.03 of 2022 pending in the Court of learned J.M.F.C., Soro for alleged commission of offences under sections 341/294/332/353/307/379/34 of the Indian Penal Code read with section 21 Mines and Minerals Regulation and Development Act.

Learned counsel for the petitioner submitted that the co-accused has already been released on bail and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State on the other hand, opposed the prayer for bail and submitted that it is an attack on public servants who were on the duty.

In view of such submission, while not inclining to grant anticipatory bail to the petitioner, it is directed that in the event the petitioner surrenders in the Court below and move for bail within a period of four weeks from today, the same shall be considered and disposed of by the Courts below expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused, who is stated to have been released on bail, in accordance with law. 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 7<sup>th</sup> January 2022.

