

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 412 of 2022

Nawed Hasmi

....

Petitioner

Mr. B.Mohapatra, *Advocate*

-versus-

State of Odisha

....

Opp. Party

Mr. A.K. Beura

Addl. Standing Counsel

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 Dharmasala P.S. Case No.6 of 2022 corresponding to G.R. Case No. 19 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for alleged commission of offences under section 379/411/34 of the Indian Penal Code read with section 7 of the Essential Commodities Act, 1955.

Learned counsel for the petitioner submitted that the F.I.R. named accused persons were taken into

custody and after two days, they have already been released on bail and the petitioner's implication in this case is based on the confessional statement of the co-accused.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature and gravity of the accusation, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below and moves for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly 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.

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(S.K. Sahoo)
Judge

