

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.538 of 2022

Santosh Nahak

....

Petitioner

Ms. Diptirekha Nanda, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. G.N. Rout,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

02.02.2022

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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.434 of 2021 arising out of Lahunipara P.S. Case No.115 of 2021 pending in the Court of learned S.D.J.M., Bonai for alleged commission of offence under section 379 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the petitioner has got five criminal

antecedents.

In view of such submission made 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 in the Court below within a period of four weeks from today and moves for bail before the learned Court below, 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 persons, who are stated to have been released on bail, 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.

(S.K. Sahoo)
Judge

RKM