

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.585 of 2022

Kartik @ Kalyan @ Kalan Bachhar **Petitioner**

Mr. B. Nayak, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. A.K. Beura,
Addl. Standing Counsel
Mr. A. Mohanty, Advocate for
the informant*

ABLAPL No.654 of 2022

Tarak Sarkar **Petitioner**

Mr. T.K. Mishra, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. A.K. Beura,
Addl. Standing Counsel
Mr. A. Mohanty, Advocate for
the informant*

ABLAPL No.586 of 2022

Bibhash Bachar @ Bachhar **Petitioner**

Mr. B. Nayak, Advocate

-versus-

State of Odisha **Opp. Party**

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

*Mr. A. Mohanty, Advocate for
the informant*

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

**ORDER
07.04.2022**

Order No.

02. All the anticipatory bail applications are taken up through Hybrid arrangement (video conferencing/ physical mode).

Since all the anticipatory bail applications arise out of one P.S. case i.e. Kundei P.S. Case No.01 of 2022, with the consent of the learned counsel for the respective parties, all the cases are heard analogously and disposed of by this common order.

Heard learned counsel appearing for the petitioners, learned counsel for the informant and learned counsel for the State in all the anticipatory bail applications.

All the applications are under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.01 of 2022 arising out of Kundei P.S. Case No.01 of 2022 pending in the Court of learned N.G.N. -cum- J.M.F.C., Raigarh for alleged commission of offences under sections 294/323/307/427/ 506/379/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the injured Chandrakanta Paul has

sustained a grievous injury on the abdomen and it was a stab wound and as per the prosecution case, Bibhash Bachar @ Bachhar and Kartik @ Kalyan @ Kalan Bachhar assaulted him.

Learned counsel for the petitioners submitted that in the 161 Cr.P.C. statement of the injured, it is stated that Bibhash Bachar @ Bachhar assaulted the injured on his abdomen with the knife and four of the co-accused persons have already been taken into custody and they have been released on bail and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the informant opposed the prayer for bail and submitted that one co-accused was released on bail and misutilised his liberty for which another F.I.R. has been filed, which has been registered as Kundei P.S. Case No.19 of 2022.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail, 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.

All the ABLAPLs are accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

