

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.677 of 2022

Niranjan Parida @ Hurusi ***Petitioner***

-versus-

State of Odisha ***Opposite Party***

CORAM: THE JUSTICE S.PUJAHARI

ORDER
03.02.2022

Order
No.

01. 1. This matter is taken up through Virtual mode.
2. The Petitioner apprehending his arrest in 2(b) CC No.2/2022 corresponding to Forest Office, Athagarh Division OR Case No.69A/2021/22, pending in the court of learned J.M.F.C., Tigiria, for alleged commission of offence punishable under Section 55 of Wild Life Protection Act, Section 27(3)(i) (a) of Odisha Forest Act and Sections 9 and 51 of Wild Life Protection Act, has filed this petition for his release on pre-arrest bail.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Learned counsel for the Petitioner during the course of argument submits that he does not want to press this petition for

pre-arrest bail. However, it is submitted that since the Petitioner intends to surrender and move for bail before the court below, direction may be given to the court below to dispose of the bail application of the Petitioner on the same day.

5. Considering the submission made, it is observed that if the Petitioner surrenders in the aforesaid case before the Court in seisin over the matter and makes a motion for bail, the Court in seisin over the matter shall consider and dispose of the bail application of the Petitioner on its own merit on the same day. Release of the co-accused, if any, shall be addressed in proper perspective.

6. The Incriminating materials collected against the Petitioner be sent to the Court by the I.O. concerned, if a copy of this order is given to the I.O. through registered post with A.D., by the Petitioner indicating the date of surrender.

7. However, the aforesaid order should not be construed as a protection from arrest till the date of surrender.

8. The ABLAPL is, accordingly, disposed of.

9. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the Parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the

concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos. 514 & 515 dated 7th January, 2022.

(S. Pujahari)
Judge

SKB/PKS/DA

