

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 749 of 2022

1. Mangulu @ Manguli

Jena

2. Manas Kumar Samal

.... Petitioners

Md. U.C. Jena, Advocate

-versus-

State of Odisha

.... Opp. Party

*Miss Samapika Mishra,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

03.02.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.3236 of 2021 arising out of Bhadrak Rural P.S. Case No.545 of 2021 pending in the Court of learned S.D.J.M., Bhadrak for alleged commission of offences under sections 436/294/354/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted

that basing on suspicion, the case has been instituted against the petitioners and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State submitted that both the petitioners have threatened to set fire to the shop room of the informant and also to kill him and therefore, the anticipatory bail application of the petitioners should not be granted.

In view of available material on record and the nature and gravity of the accusation, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below and move 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.

