

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 751 of 2022

**1. Nayananda Behura
2. Madhabananda Swain
3. Satya Prakash Sethi
4. Ajaya Patra @ Ajaya
Kumar Patra**

.... Petitioners

Md. R.K. Rout, 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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Talchua Marine P.S. Case No.113 of 2021 corresponding to G.R. Case No.113 of 2021 pending in the court of learned Sessions Judge, Kendrapara for alleged commission

of offences under section 228(A)/34 of the Indian Penal Code read with section 23 of the POCSO Act.

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 within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Court 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