

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1149 of 2022

Prashanta Chhatar* *Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha* *Opp. Party

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

08.02.2022

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical 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.1113 of 2021 arising out of Padampur P.S. Case No.264 of 2021 pending in the Court of learned S.D.J.M., Padampur for alleged commission of offences under sections 341/323/294/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that though the case was instituted, inter alia, for commission of offence under section 307 of the Indian Penal Code but the injuries sustained by the informant-injured are simple

in nature which is reflected in the bail order of the co-accused granted bail by the learned Additional Sessions Judge, Padampur in B.A. No.280 of 2021, which is annexed in the anticipatory bail application. He further submitted that the petitioner may be permitted to surrender in the learned Court below and move for bail and claim of parity may be taken into account.

Learned counsel for the State has no objection.

Considering the nature of accusation against the petitioner, 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, who is 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.

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

(S.K. Sahoo)
Judge

RKM