

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1243 of 2022

Kalandi Charan Sahoo* *Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
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.701 of 2021 arising out of Kendrapara Sadar P.S. Case No.134 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections 457/380 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner's implication in the case is based on confessional statement of co-accused Sk. Rafikula before police and the said co-accused has already been released

on bail by this Court and the petitioner is an aged person and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand submitted that the petitioner is a habitual offender and there are number of criminal cases against the petitioner.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, it is ordered that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

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

(S.K. Sahoo)
Judge