

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1385 of 2021

**1. Prashanta Kumar
Mishra**

2. Tikili Mishra

.... Petitioners

Mr.B.P. Mohanty, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr.Arupananda Das

Addl. Government Advocate

Mr. R.K. Dash, Advocate (for the
informant)

CORAM:

JUSTICE S.K. SAHOO

ORDER

22.04.2022

I.A. No. 158 of 2022

Order No.

06. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioners and learned counsel for the State as well as learned counsel for the informant.

This is an application for recalling of the order dated 15.02.2022 passed in the anticipatory bail application.

Learned counsel for the petitioners submitted that prior to the matter being taken up, he has filed Vakalatnama, but his name was not reflected in the

cause list and that is why while disposing of the anticipatory bail application on merit, he was not given an opportunity of hearing and it was mentioned in the order dated 15.02.2022 as 'none appears for the petitioners'.

In view of such submission, learned counsel for the petitioners was given an opportunity of hearing of the anticipatory bail application.

Learned counsel for the petitioners submitted that the petitioners are the in-laws of the deceased and similarly situated co-accused persons have been granted regular bail by this Court and therefore, the petitioners' anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Since it is a case of dowry death and the statements of the witnesses reveal the involvement of the petitioners in the crime, while not inclining to grant anticipatory bail to the petitioners, liberty is granted to them to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the release of the co-accused persons stated to have been released on bail shall be taken into account. The case

records shall be made available to the Court concerned for disposal of the bail application.

The I.A. is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

