

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1347 of 2022

Badal @ Sandip Naik* *Petitioner

Mr. P.S. Nayak, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

16.02.2022

Order No.

01.

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

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Colliery P.S. Case No. 43 of 2022 corresponding to G.R. Case No. 202 of 2022 pending in the Court of learned S.D.J.M., Talcher for the commission of the alleged offences punishable under sections 341/294/307/379/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that

the petitioner was not named in the F.I.R. and during the course of investigation, the statement of the informant was recorded in which he has also not implicated the petitioner and he has mentioned the name of the two accused persons, namely, Tutu Pradhan and Santosh Pradhan and in the confessional statements of those two co-accused persons, the petitioner has been implicated as one of their associates. On instruction, learned counsel further submitted that those two co-accused persons have already been released on bail and therefore, the prayer for anticipatory bail may favourably be considered.

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

Considering the submissions made by the learned counsel for the respective parties, 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 and moves for bail in the Court below within a period of four weeks from today the learned Court below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused, who are stated to have been released on bail, shall be taken into account. The case records shall be made available to the Courts concerned for disposal of

the bail application.

The ABLAPL stands disposed of.

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

(S.K. Sahoo)
Judge

P

