

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1432 of 2022

**1. Ashok Pradhan
2. Kirtan Pradhan
3. Rama Pradhan
4. Swapnarani Rout
5. Muna Rout**

.... Petitioners

Mr. S.K. Pradhan-3, Advocate

-versus-

State of Odisha

.... Opp. Party

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

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
22.02.2022**

Order No.

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

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.33 of 2022 arising out of Daspalla P.S. Case No.19 of 2022 pending in the Court of learned J.M.F.C., Daspalla for alleged commission of offences under sections 341/294/323/325/307/452/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that some of the co-accused persons were taken into custody and they have been released on bail by the learned Sessions Judge, Nayagarh and there are no such materials against the petitioners so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and the injured persons have sustained simple injuries and therefore, the anticipatory bail application of the petitioners may be favourably 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 petitioners, 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 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 persons, who are 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

