

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1441 of 2022

**1. Parimal Dey
2. Pradip Dhali
3. Surajit Gain
4. Biswajit Dey**

.... Petitioners

Mr. G. Mishra, 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 Special G.R. Case No.122 of 2021 arising out of Kalimela P.S. Case No.224 of 2021 pending in the Court of learned Sessions Judge -cum- Special Judge, Malkangiri for alleged commission of offences under sections 355/384/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that four of the co-accused persons have been released on bail and the petitioners are similarly situated like the co-accused persons.

Considering the submissions made by the learned counsel for the respective parties, 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 Court 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