

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1474 of 2022

1. Jitendra Kumar Dutta
2. Naresh Kumar Dutta
3. Samrat Kumar Dutta Petitioners

Mr. P. Panigrahi, Advocate

-versus-

State of Odisha Opp. Party

Mr. D.K. Pani,
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 Bhuban P.S. Case No.78 of 2020 corresponding to G.R. Case No.73 of 2020 pending before the learned J.M.F.C., Bhuban for commission of alleged offences under sections 395, 307, 294, 506, 353 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the petitioners have not been named in the F.I.R.

as accused persons and the F.I.R. named accused has already been released on bail and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail and submitted that it is a case under sections 395 and 307 of the Indian Penal Code.

Considering the submissions made by the learned counsel for the respective parties, 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 and move for bail in the Court below within a period of four weeks from today, the same shall be disposed of by the learned Courts below in accordance with law expeditiously and the claim of parity with the co-accused 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.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge