

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1476 of 2022

Babaji Das

....

Petitioner

Mr. L. Mishra, 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 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 Kalinganagar P.S. Case No. 300 of 2021 corresponding to C.T. Case No. 1589 of 2021 pending in the Court of learned J.M.F.C., Jajpur Road for the commission of the alleged offences punishable under sections 419, 420, 468, 471, 392, 365 and 120-B of the Indian Penal Code.

Learned counsel for the petitioner submitted that four of the co-accused persons, who were taken into custody have already been released on bail in BLAPL Nos. 338 of 2022, 350 of 2022 and 353 of 2022 and the petitioner is similarly situated

with that of the co-accused persons. He further submitted that the petitioner has not been named as an accused in the F.I.R. 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 and 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 Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused persons, 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.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo