

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1604 of 2022

Sunil Sethi

....

Petitioner

Mr.R.N. Prusty, Advocate

-versus-

State of Odisha

....

Opp. Party

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

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

**ORDER
23.02.2022**

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 Angul Sadar P.S. Case No. 724 of 2021 corresponding to G.R. Case No.1143 of 2021 pending in the Court of learned S.D.J.M., Angul for the commission of the alleged offences punishable under sections 307, 387, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the co-accused namely, Swadhin Barik has been arrested and has been released on bail in BLAPL No. 836 of 2022 and since the injuries are simple in nature, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail and contended that the assault was made by a surgical knife on the abdomen of the injured and the co-accused, who was taken into custody, has been granted bail taking into consideration the period of his detention and also the fact that the petitioner was one, who assaulted the injured.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to the petitioner to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same 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

PKSahoo