

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1643 of 2022

**Jayabal Kalar @ Jaibal
Kallar**

.... Petitioner

Mr.J. Sahoo, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. A.K. Beura

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

28.02.2022

Order No.

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

Heard 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 Raighar P.S. Case No.26 of 2022 corresponding to G.R. Case No.34 of 2022 pending in the Court of learned N.G.N. –cum- J.M.F.C., Raighar for alleged commission of offences under sections 147/148/341/294/506/336/307/323/353/427/149 of the Indian Penal Code.

Learned counsel for the petitioner submitted that

some of the co-accused persons were taken into custody and they have been released on bail and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State on the other hand, opposed the prayer for bail and submitted that it is an attack on public servants who were on the duty.

In view of such submission, while not inclining to grant anticipatory bail to the petitioner, it is directed that in the event the petitioner surrenders in the Court below and moves for bail within a period of four weeks from today, the same shall be considered and disposed of by the Courts below expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused, who are stated to have been released on bail, in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

Urgent certified copy of this order be granted on proper application.

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(S.K. Sahoo)
Judge

