

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1653 of 2022

Izhar Ali Saha @ Riju Saha *Petitioner*

Mr.S.K. Lenka, 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 Tangi P.S. Case No.329 of 2016 corresponding to G.R. Case No.434 of 2016 pending in the court of learned J.M.F.C., Chilika for alleged commission of offences under section 394/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that

some of the co-accused persons have already been released on bail and the petitioner may be permitted to surrender in the Court below and move for bail and the claim of parity may be taken into account while adjudicating the bail application.

Considering the submissions made by the learned counsel for the petitioner, it is ordered that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously by the Courts below and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail. The case records shall be made available to the Court concerned for adjudication of the bail application.

The ABLAPL stands disposed of.

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

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(S.K. Sahoo)
Judge