

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1930 of 2021

1. Kalia @ Kalu Mallik
2. Dusmanta Kumar Jena

.... **Petitioners**

Mr.S.K. Dash, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

16.03.2022

Order No.

04. 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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.30 of 2021 arising out of Tangi P.S. Case No. 22 of 2021 pending in the Court of learned N.G.N. -cum- J.M.F.C., Tangi for alleged commission of offences under sections 341/323/307/294/506/324/326/379/34 of the Indian Penal Code.

This case was filed on 10.02.2021 and it was listed for the first time on 15.03.2021, when interim protection was granted to the petitioners and the State counsel was directed to produce the case diary. Again the matter was listed on 09.02.2022 and since the learned counsel for the State was unable to produce the case diary as well as injury report, the matter was posted to today and it was specifically mentioned that no further adjournment shall be granted and the interim order dated 15.03.2021 was directed to continue. Today, learned counsel for the State submitted that he has not received the case diary and necessary instruction in the matter and prays for an adjournment. I am not inclined to grant further adjournment.

In view of the inability of the learned counsel for the State to produce the case diary as well as the injury report, the interim order dated 15.03.2021 is made absolute.

Accordingly, the ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge