

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1770 of 2022

Nila Kirsani @ Nila Krisani *Petitioner*

Mr.B.R. Maharatha, Advocate

-versus-

State of Odisha Opp. Party

Mr. D.K. Mishra

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

03.03.2022

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 Padwa P.S. Case No.3 of 2009 corresponding to G.R. Case No.32 of 2009 pending in the court of learned S.D.J.M., Koraput for alleged commission of offences under sections 341/294/323/506/34 Indian Penal Code.

In view of the nature and gravity of the accusation against the petitioner and since it is a case of the year 2009, I am not inclined to release the petitioner on

anticipatory bail.

Learned counsel for the petitioner submits that co-accused persons have already been released on bail. He further submitted that 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 Courts below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously 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.

The ABLAPL stands disposed of.

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

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(S.K. Sahoo)
Judge