

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1772 of 2022

Tanu Das

....

Petitioner

Mr.J. Sahoo, 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 Khallikote P.S. Case No.157 of 2011 corresponding to G.R. Case No.313 of 2011 pending in the court of learned J.M.F.C., Khallikote for alleged commission of offences under sections 341/323/324/ 506/34 Indian Penal Code.

In view of the nature of the accusation against the petitioner and since it is a case of the year 2011 and that the petitioner was absconding for more than ten years, 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 observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Courts below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused persons, who are stated to have been released on bail, so also proviso to section 437(1) Cr.P.C. shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

p

(S.K. Sahoo)
Judge