

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.2133 OF 2020

Ganeswar Swain

.... ***Petitioner***
Mr.S.K. Padhi, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Ms. S. Mishra, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
18.02.2022

Order No.

04. 1. This matter is taken up by video conferencing mode.
2. The Petitioner having been implicated in Balanga P.S. Case No.08 of 2020 corresponding to G.R. Case No.75 of 2020 registered for alleged commission of offence under section 341/326/323/354/307/454/506/34 of the IPC, pending on the file of learned J.M.F.C., Nimapara, has filed this application under section 438 of the Cr.P.C. for grant of anticipatory bail in the event of his arrest in the above mentioned case.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions and viewing the materials on record as also other surrounding circumstances, while being not inclined to grant of anticipatory bail to the Petitioner, this application is disposed of with the observation that in the event

the Petitioner surrenders before the court in seisin of the aforesaid case and moves for his release on bail, the same shall be considered on its own merit and disposed of early in accordance with law so as to enable the Petitioner to approach the next higher forum early in case necessity so arises.

The case record be made available at the cost of the Petitioner.

Interim order passed on 06.03.2020 does no more survive.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

