

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1853 of 2022

***Somanath Mohanty @
Bapi*** ***Petitioner***

Mr.H.N. Tripathy, Advocate

-versus-

State of Odisha ***Opp. Party***

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

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
08.03.2022**

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 Balichandrapur P.S. Case No.306 of 2021 corresponding to C.T. Case No.1589 of 2021 pending in the court of learned J.M.F.C., Chandikhol for alleged commission of offences under sections 341/323/294/307/34 of the Indian Penal Code read with sections 25/27 of the Arms Act.

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 by the Courts below 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.

(S.K. Sahoo)
Judge