

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1925 of 2022

Tanmaya Kumar Behera* *Petitioner

Mr. A.K. Behera, *Advocate*

-versus-

State of Odisha* *Opp. Party

Mr. J.P. Patra,
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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.923 of 2021 arising out of Badabazar P.S. Case No.113 of 2021 pending in the Court of learned S.D.J.M., Berhampur for alleged commission of offences under sections 419/420 of the Indian Penal Code read with section 66(C)/66(D) of the Information Technology Act.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that prayer has already been made before

the learned S.D.J.M., Berhampur to issue process under section 82 of Cr.P.C.

Learned counsel for the petitioner submitted that co-accused Supravat Mohapatra was taken into custody and he has already been released on bail by this Court and there is no clinching material against the petitioner.

In view of such submission, while not inclining to grant anticipatory bail to 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 Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and if any co-accused has been released on bail in the meantime, the claim of parity shall be taken into account. The case diary be made available before the Court concerned for disposal of the case.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

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