

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1989 of 2022

Akhaya Behera

....

Petitioner

Mr.B.K. Swain, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. D.K. Pani,
Addl. Standing Counsel*

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

**ORDER
19.05.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Jagatpur P.S. Case No. 45 of 2022 corresponding to G.R. Case No.234 of 2022 pending in the Court of learned J.M.F.C., Rural, Cuttack for the commission of the alleged offences 394, 363/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the co-accused persons who are similarly situated like that of the petitioner have been released on bail

by the learned Court below and that the offences are triable by Magistrate and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties and the nature of accusation, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to him to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law and the claim of parity with the co-accused person, who is stated to have been released on bail shall be taken into account. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo