

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.2347 OF 2020

Dambaru Dhar Nayak

.... Petitioner

Mr.S.K. Jena, Advocate

-versus-

State of Odisha

.... Opposite Party,

Mr.D.R. Parida, ASC

CORAM:

MR. JUSTICE D.DASH

ORDER

21.02.2022

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioner having been implicated in Bonai P.S. Case No.09 of 2020 corresponding to G.R. Case No.38 of 2020 registered for alleged commission of offence under Section 376(1)/417/294/506 of the IPC, pending on the file of learned S.D.J.M., Bonai has filed this application under section-438 of the Cr.P.C. for grant of anticipatory bail in the above mentioned case.
3. Considering the submissions and viewing the materials on record as also other surrounding circumstances, while being not inclined to consider the prayer for 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(s) be made available at the cost of the Petitioner.

The interim order dated 05.03.2020 stands vacated

4. The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

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

Basu

