

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2030 of 2022

Sonny Kumbhar @ Sunny Kumbhar ***Petitioner***

Mr. Manas Chand, Advocate

-versus-

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

*Mr. S.S. Pradhan,
Addl. Government Advocate*

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

**ORDER
15.03.2022**

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.246 of 2021 arising out of Binika P.S. Case No.260 of 2021 pending in the Court of learned J.M.F.C., Binika for alleged commission of offence under section 379 of the Indian Penal Code.

Perused the F.I.R.

Considering the submissions made by the learned counsel for the petitioner that the first information report was lodged against unknown persons and the stolen property has already been recovered and on hearing the

learned counsel for the State, who submitted that the petitioner is having thirteen criminal antecedents, 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 claim of parity with the co-accused persons, who are stated to have been released on bail, shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

(**S.K. Sahoo**)
Judge

RKM