

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2035 of 2022

Goura Singh @ Rabi Singh Petitioner

Ms. Mousumi Rout, Advocate

-versus-

State of Odisha Opp. Party

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

ABLAPL No.2045 of 2022

Bapun Singh @ Mahadeba Singh Petitioner

Ms. Mousumi Rout, Advocate

-versus-

State of Odisha Opp. Party

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

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

Order No.

**ORDER
15.03.2022**

01. Both the anticipatory bail applications are taken up through Hybrid arrangement (video conferencing/physical mode).

Since both the anticipatory bail applications arise out of one P.S. case i.e. Baisinga P.S. Case No.44 of 2022 pending in the Court of learned J.M.F.C., Betonoty, with the consent of the learned counsel for

the respective parties, both the cases are heard analogously and disposed of by this common order.

Heard learned counsel appearing for the petitioners and learned counsel for the State in both the anticipatory bail applications.

Both the applications are under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Baisinga P.S. Case No.44 of 2022 pending in the Court of learned J.M.F.C., Betonoty for alleged commission of offences under sections 302/341/34 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioners submitted that the petitioners were not present at the scene of occurrence and they were working in Kolkata and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State, on the other hand, opposed the prayer for anticipatory bail and pointed out that there are eye witnesses to the occurrence and they have stated about the participation of the petitioners in the assault of the deceased.

Considering the submissions made by the learned counsel for the respective parties, the nature and gravity of the accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below and move for bail before the learned Court below within a period of four weeks from today, the same

shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned for adjudication of the bail application.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

