

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2126 of 2022

***Pabitra Ganda @ Pabitra* *Petitioner*
Harijan**

Mr. M. Das, Advocate

-versus-

State of Odisha* *Opp. Party

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

**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.26 of 2020 arising out of Boriguma P.S. Case No.21 of 2020 pending in the Court of learned J.M.F.C., Boriguma for alleged commission of offences under sections 399/402 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the co-accused persons have already been released on bail after being taken into custody and the implication of the petitioner is made on the basis of the confessional

statement of the co-accused before police and the petitioner may be permitted to surrender in the learned Court below and move for bail and claim of parity may be taken into account.

Learned counsel for the State has no objection.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, 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, 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