

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2127 of 2022

1. Surendra Rout

2. Dhirendra Rout

....

Petitioners

Mr. B.K. Bal, 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 the learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Mahanga P.S. Case No.44 of 2022 corresponding to G.R. Case No.159 of 2022 pending in the Court of learned J.M.F.C., Salipur for commission of the alleged offences punishable under sections 341/294/323/324/307/171-C/427/34 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioners submitted that

the main allegation is against co-accused Priyabrata Rout, who has already been released on bail and there is no specific overt act against the petitioners and therefore, the anticipatory bail application of the petitioners 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, the nature of accusation against the petitioners, while not inclining to release the petitioners on anticipatory bail, it is observed that in the event the petitioners surrender and move for bail in the 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 and claim of parity with the co-accused, who is 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