

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2201 of 2022

Sushila Kumar Jani* *Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. P.K. Mohanty,
Addl. Standing Counsel*

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

**ORDER
22.03.2022**

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 C.T. Case No.163 of 2022 arising out of Khajuripada P.S. Case No.35 of 2022 pending in the Court of learned S.D.J.M., Phulbani for alleged commission of offences under sections 147/450/395/353/186/149 of the Indian Penal Code read with sections 132/135 of the Representation of the People Act, 1951 and 1988.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the persons named in the first information report were taken into custody and they have been released on bail

and due to political dispute between the parties at a subsequent stage, the case has been foisted and therefore, the anticipatory bail application of the petitioner 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 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

RKM