

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2225 of 2022

Birendra Das @ Lipu Das* *Petitioner

Mr.M.K. Panda, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. D.K. Pani,
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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Chandaka P.S. Case No.148 of 2018 corresponding to G.R. Case No.1055 of 2018 pending in the court of learned J.M.F.C. (O), Bhubaneswar for alleged commission of offences under sections 341/294/323/506/435/436/34 of the Indian Penal Code.

It is a case of the year 2018.

Learned counsel for the petitioners submits that two of the co-accused persons have already been released on bail and the petitioner may be permitted to surrender in the Court below and move for bail and the claim of parity may be taken into account while adjudicating the bail application.

Considering the submission made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioner, I direct that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously by the Courts below and while disposing of the bail application, the learned Court below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

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

(S.K. Sahoo)
Judge