

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2253 of 2022

1. Dileswar Saraf @

Dilar Saraf

....

Petitioners

2. Pratap Saraf

Mr.P.K. Nayak, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das,

Addl. Government Advocate

**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 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 Muribahal P.S. Case No. 305 of 2020 corresponding to G.R. Case No.287 of 2020 pending in the Court of learned J.M.F.C., Muribahal for the commission of the alleged offences punishable under sections 341, 294, 323, 325, 326, 354, 506/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioners submitted that in the

meantime on completion of investigation, charge sheet has been submitted, inter alia, for commission of offence under section 326 of the Indian Penal Code and some of the co-accused persons were taken into custody and have been released on bail and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State, on the other hand, submitted that there are three injured in this case and the injured Premasila Saraf and Sudhir Saraf have sustained grievous injuries whereas one Makardwaja Saraf has sustained simple injury.

Considering the submissions made by the learned counsel for the respective parties and keeping in view the nature of accusation against the petitioners and nature of injuries sustained by the injured persons, while not inclining to grant anticipatory bail to the petitioners, liberty is granted to the petitioners to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused persons, who are stated to have been released on bail, shall be taken into account. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

