

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 2307 of 2022

1. Santanu Kumar Parida

2. Balaram Behera

....

Petitioners

Mr.S.K. Dash, *Advocate*

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
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 petitioners and learned counsel for the State.

Learned counsel for the petitioners submitted that though initially the case was registered under Magistrate triable offences but subsequently the case has turned to one under section 395 of the Indian Penal Code. He further submitted that some of the co-accused persons were taken into custody and they 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 with the co-

accused released on bail may be taken into account while adjudicating the bail application.

Learned counsel for the State has no serious objection to such prayer.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioners, I direct that in the event the petitioners surrender and move 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 Courts 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.

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(S.K. Sahoo)
Judge