

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2319 of 2022

Richard Nayak* *Petitioner

Mr.Mahes Das, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.J.P. Patra,
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 the 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 Madanpur Rampur P.S. Case No. 92 of 2021 corresponding to C.T. Case No.182 of 2021 pending in the Court of learned J.M.F.C., M.Rampur for the commission of the alleged offence punishable under section 395 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted that some of the co-accused persons have been taken

into custody and they have been released on bail and therefore, the petitioner may be permitted to surrender and move for bail in which event, the learned Courts below may be directed to dispose of the bail application expeditiously.

Learned counsel for the State has no 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 petitioner, liberty is granted to the petitioner 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 Court below shall dispose of the same in accordance with law and the claim of parity with the co-accused persons stated to have been released on bail shall be taken into account. The case records shall be made available to the Court concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge