

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2455 of 2022

Bharat Swain

....

Petitioner

Dr. S.K. Kanungo, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.A.K. Beura

Addl. Standing Counsel

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

**ORDER
29.03.2022**

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 G.R. Case No.247 of 2022 arising out of Naugaon P.S. Case No.37 of 2022 pending in the Court of learned S.D.J.M., Jagatsinghpur for alleged commission of offences under sections 341/294/323/325/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the main allegation is against co-accused Rajesh Ranjan Biswal, who was taken into custody in the meantime and he has been released on bail and the injuries sustained by

the injured are simple in nature 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, who is 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