

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.2929 OF 2022

Aswin Kumar Behera

.... ***Petitioner***
Mr.U.K. Patnaik, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Ms. Samapika Mishra, ASC.

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
16.08.2022**

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioner having been implicated in connection with Dhenkanal P.S. Case No.175 of 2019 corresponding to G.R. Case No.657 of 2019 for alleged commission of offence under section-376(2)(n)/417/294/507 of the IPC, pending on the file of learned S.D.J.M., Dhenkanal, has filed this application under section-438 of the Cr.P.C. for his grant of anticipatory bail in the event of his arrest in the above mentioned case.
3. Heard learned Counsel for the Petitioner and learned Counsel for the State.
4. Considering the submissions and viewing the materials on record as also other surrounding circumstances, while being not inclined to grant of anticipatory bail to the Petitioner, this application is disposed of with the observation that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case and moves for his release on bail, the same shall be

considered on its own merit and disposed of early in accordance with law so as to enable the Petitioner to approach the next higher forum early in case necessity so arises.

The case record be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

