

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3046 of 2021

Arun Kumar Nayak **Petitioner**

Mr. S.K. Dash, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. J.P. Patra,
Addl. Standing Counsel*

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

ORDER

16.03.2022

Order No.

03. 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.108 of 2021 arising out of Kamakhyanagar P.S. Case No.60 of 2021 pending in the Court of learned S.D.J.M., Kamakhyanagar for alleged commission of offences under sections 379/411/413/120-B of the Indian Penal Code read with section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

Perused the F.I.R.

Learned counsel for the State submitted that

there are six criminal antecedents against the petitioner.

In view of the criminal antecedents, while not inclining to release the petitioner on anticipatory bail, it is observed that in the event the petitioner surrenders and moves for bail in the Court below within a period of four weeks from today, 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 persons, who are 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.

Interim order dated 24.03.2021 stands vacated.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM