

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3072 of 2022

Sandeep Nayak @ Kanha* *Petitioner
Nayak

Mr. Bideshi Kumar Ghadei,
Advocate

-versus-

State of Odisha* *Opp. Party

Mr. J.P. Patra
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
26.04.2022

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 Sea Beach P.S. Case No.44 of 2022 corresponding to G.R. Case No.527 of 2022 pending in the Court of learned S.D.J.M., Puri for alleged commission of offence under sections 341, 323, 394, 384, 385, 387, 506, 34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that one of the co-accused was taken into custody and

he was released on bail by the learned Court below and therefore, the prayer for anticipatory bail 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, 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 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.

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

(S.K. Sahoo)
Judge