

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3176 of 2022

**1. Bivash Mandal @
Bibhas Mandal
2. Laltu Mandal**

.... Petitioners

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
05.05.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners does not want to press the anticipatory bail application of petitioner no.2 Laltu Mandal.

In view of such submission, this anticipatory bail application so far as petitioner no.2 is concerned stands disposed of as infructuous.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner no.1 in connection with Umerkote P.S. Case No. 85 of 2022 corresponding to G.R. Case No.116 of 2022 pending in the Court of learned

J.M.F.C., Umerkote for the commission of the alleged offences punishable under sections 341, 323, 324, 307, 427, 379, 506, 34 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that the injured has sustained grievous injuries.

Considering the nature of accusation against the petitioner no.1 and the nature of injury sustained by the injured, while not inclining to grant anticipatory bail to the petitioner no.1, it is observed that in the event the petitioner no.1 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