

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3216 of 2022

Dushmanta Pradhan* *Petitioner

Mr. R. Ghosh, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. D.K. Pani,
Addl. Standing Counsel*

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

**ORDER
05.05.2022**

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 2(b) C.C. Case No.09 of 2021 arising out of O.R. Case No.35K of 2021-22 pending in the Court of learned S.D.J.M., Talcher for alleged commission of offence under section 51 of the Wild Life (Protection) Act, 1972.

Perused the F.I.R.

Learned counsel for the petitioner submitted that one of the co-accused has been released on bail

in the meantime and the petitioner is similarly situated like the co-accused 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, 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