

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.3401 OF 2022

Silu @ Bikash Behera

.... ***Petitioner***
Mr.A.K. Sahoo, Advocate

-versus-

State of Odisha

.... ***Opposite Party.***
Mr.S.K. Nayak, AGA.

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

ORDER
16.05.2022

Order No.

- 03.
1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
 2. The Petitioner having been implicated in connection with Patkura P.S. Case No.96 of 2022 corresponding to G.R. Case No.486 of 2022 for alleged commission of offence under section- 379 of the IPC pending on the file of learned S.D.J.M., Kendrapara 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 when the occasion would so arise before the Court in seisin of the

aforesaid case for consideration of the matter of grant of regular bail to the Petitioner; the same shall be considered on its own merit; further taking into account the factum of release of co-accused person(s) on bail, if similarly situated with the Petitioner on the ground parity as per law 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

