

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.3714 OF 2020

Iswar @ Iswar Chandra Luha

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. G.N. Rout, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

07.03.2022

Order No.

- 03.
1. The matter is taken up by video conferencing mode.
 2. The Petitioner having been implicated in connection with Reamal P.S. Case No.116 of 2012 corresponding to C.T. Case No.437(A) of 2012 on the file of learned S.D.J.M., Deogarh for alleged commission of offence under Section-302 of the IPC, has filed this application under Section-438 of the Cr.P.C. for his release on bail in the event of his arrest in the aforesaid case.
 3. Heard learned counsel for the Petitioner and learned counsel for the State.
 4. Considering the submissions made and viewing the materials on record as also other surrounding circumstances, while being not inclined consider the prayer for grant of anticipatory bail to the Petitioner, this application is disposed of with the observation that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case and moves for his release on bail, 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 of parity as per law and disposed of early in accordance with law.

5. The ABLAPL is accordingly dismissed.

Interim order passed on 07.05.2020 does no more survive.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

