

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL NO.5167 OF 2019**

***Prasanta Kumar Behera***

....

***Petitioner***

Ms. Bharati Dash, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. S.K. Nayak, AGA.

**CORAM:**

**MR. JUSTICE D.DASH**

**ORDER**

**07.09.2022**

**Order No.**

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the second journey of the Petitioner in filing this application under Section-438 of the Cr.P.C. for his grant of bail in the event of his arrest in connection with Purunakote P.S. Case No.14 of 2017 corresponding to G.R. Case No.480 of 2017 on the file of learned S.D.J.M., Angul for alleged commission of offence under Section-302 /34 of the IPC for reconsideration of the prayer for grant of 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 made and on going through the materials on record further keeping in view the nature and gravity of the offences and its manner of commission as also the role assigned to the Petitioner therein as those emanate from the

materials on record as well as other surrounding circumstances; while being not inclined to reconsider the prayer for grant anticipatory bail to the Petitioner, this application is disposed of with the observation that when the occasion would so arise before the learned Court in seisin of the case for consideration of the prayer for grant of regular bail of the Petitioner, same shall be decided on its own merit; further taking into account all such developments which have taken place in the meantime in their proper perspective and disposed of in accordance with law.

5. The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

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

Narayan

