

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4105 of 2022

Padmanava Jena & others ***Petitioners***

Mr. Mahimananda Swain, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K.Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
18.05.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioners are seeking pre-arrest bail in connection with C.T. Case No. 779 of 2022 arising out of Ramchandrapur P.S. Case No. 91 of 2022 pending in the Court of learned SDJM, Jajpur for commission of offence punishable under Sections 341/323/324/506/34 of the I.P.C.
4. On a conspectus of materials on record, ABLAPL is disposed of with the observation that the petitioners, if so advised, may surrender before the learned SDJM, Jajpur in the above noted case within 15 days (Fifteen) days from today.
5. In the event of their surrender and motion for bail, the application for bail shall be considered by the learned SDJM, Jajpur

on merits in accordance with law, in the first hour of the day. In the event of rejection of the prayer for bail by learned SDJM, Jajpur, the petitioners are at liberty to move the higher forum for bail in the second hour on the same day.

6. On being so moved, the higher forum shall dispose of the bail application of the petitioners on the same day on merit in accordance with law. The Case Diary be made available to the concerned courts to facilitate disposal of the bail application of the petitioners, and learned SDJM, Jajpur is called upon to transmit the case record to the higher forum in the second hour, in the event of rejection of the bail application by him.

7. Ground of parity, if any, may be considered by the learned Court below on same being canvassed by learned counsel for the petitioners at the time of consideration of the bail application.

8. It is stated by the learned counsel for the petitioners that the petitioners have no criminal proclivity. While enlarging the petitioners on bail the learned court below shall verify such assertion. If it comes to the fore that the petitioners have any criminal antecedent, this order shall stand recalled automatically without any further reference to this Court.

9. Accordingly, the ABLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Dhal