

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.4236 OF 2020

Satish Tiwari @ Mukesh Tiwari & Petitioners
Eleven Others

Mr. T. Nanda, Advocate

-versus-

State of Odisha Opposite Party
Mr. D.R. Parida, ASC.

CORAM:
MR. JUSTICE D.DASH

ORDER
09.03.2022

Order No.

03. 1. The matter is taken up by video conferencing mode.
2. The Petitioners having been implicated in connection with Lakhna P.S. Case No.67 of 2019 corresponding to C.T. Case No.445 of 2019 on the file of learned S.D.J.M., Nuapada for alleged commission of offence under Section-147/341/294/323/353/307/149 of the IPC, have filed this application under Section-438 of the Cr.P.C. for their release on bail in the event of their arrest in the aforesaid case.
3. Heard learned counsel for the Petitioners 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 Petitioners, this application is disposed of with the observation that in the event the Petitioners surrender before the Court in seisin of the aforesaid case and move for their 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 Petitioners on the ground parity, as per law and disposed of early in accordance with law.

5. The ABLAPL is accordingly dismissed.

Interim order passed on 12.05.2020 does no more survive.

Issue urgent certified copy as per rules.

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

Narayan

