

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4409 OF 2022

Tikina @ Santosh Nayak & Others

..... *Petitioners*
Mr. S.P. Dash, Advocate

-versus-

State of Odisha

..... *Opposite Party*
Miss S. Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
19.05.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section-438 Cr.P.C for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No. 81 of 2022, arising out of Khandapada P.S. Case No. 84 of 2022 pending in the Court of learned J.M.F.C., Khandapada for the alleged commission of offence punishable under Sections-294/323/324/341/307/354/379/452/506/34 of the I.P.C and Section 25/27 Arms Act.

5. In the event of their surrender and motion for bail, the application for bail shall be considered by the learned J.M.F.C., Khandapada on merit in accordance with law, in the first hour of the day.

6. In the event of rejection of the prayer for bail by the J.M.F.C., Khandapada, the petitioners are at liberty to move the higher forum for bail in the second hour on the same day. On being so moved, the higher forum shall do well to dispose of the bail application of the petitioners on the same day on merit in accordance with law.

7. The Case Diary be made available to the concerned Courts to facilitate disposal of the bail application of the petitioners, and learned J.M.F.C., Khandapada 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.

8. The ABLAPL is disposed of accordingly.

9. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Judge*