

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4611 OF 2022

Papu Palei & Others

..... Petitioners
Mr. J. Sahoo, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. Karunakar Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.05.2022

Order No.
01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioners, learned Additional Standing Counsel for the State and learned counsel for the informant.
3. Learned counsel for the petitioner submits that the Bail application in respect of Petitioner Nos.2-Ashirbad Palai and Petitioner No.3- Ashutosh Palai has been rendered infructuous in the meantime and the same is disposed of accordingly.
4. Petitioner No.1-Papu Palei is seeking pre-arrest bail in connection with G.R. Case No. 151 of 2022, arising out of Balugaon P.S. Case No. 74 of 2022, pending on the file of J.M.F.C., Chilika for the alleged commission of the offence punishable under Sections-452/294/323/324/307/506/34 of the I.P.C.

5. In the event of his surrender and motion for bail, the application for bail shall be considered by the learned J.M.F.C., Chilika 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., Chilika, the petitioner no.1 is 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 petitioner no.1 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 petitioner no.1, and learned J.M.F.C., Chilika 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 accordingly disposed of.

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

(V.Narasingh)
Judge

Balaram