

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5185 of 2020

Rabi @ Rabindra Samal & Others ***Petitioners***
Mr.P. Panigrahi,, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. S.K. Nayak, AGA

CORAM:
MR. JUSTICE D.DASH

ORDER
16.03.2022

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioners having been implicated in Bhuban P.S. Case No.108 of 2020 corresponding to G.R. Case No.101 of 2020 on the file of learned J.M.F.C., Bhuban for alleged commission of offence under sections 272/273/34, I.P.C. read with section 52(a)(i)/55 of the Orissa Excise Act 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 said case.
3. Heard learned counsel for the Petitioners and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the

surrounding circumstances, while being not inclined to consider the prayer for grant of anticipatory bail to the Petitioners; this application stands disposed of with an observation that in the event the Petitioners surrender before the court in seisin of the case and move for their release on bail, the same shall be considered on its own merit and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioners in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case diary be made available at the cost of the Petitioners.

5. The ABLAPL is accordingly disposed of. Interim order passed on 21.05.2020 stands vacated.

6. Issue urgent certified copy as per rules.

(D.Dash)
Judge