

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4817 of 2022

Debasish Khara

..... Petitioner
Mr. M.K. Chand, Advocate

-versus-

State of Odisha

..... Opposite Party
Smt. S.R. Sahoo, ASC

**CORAM:
JUSTICE V. NARASINGH**

ORDER
24.05.2022

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 petitioner is seeking pre-arrest bail in connection with G.R. Case No.79 of 2021, arising out of Nandapur P.S. Case No.13 of 2021 pending in the Court of learned Addl. Sessions Judge-cum-Special Judge, Jeypore for the alleged commission of offence punishable under Sections 363/323/376(2)(n)/376(3)/313/34 of IPC and Section 4(2)/6 of POCSO Act.
4. Taking into consideration the nature of offence, this ABLAPL is disposed of with the observation that, the petitioner, if so advised, may surrender before the learned Addl. Sessions Judge-cum-Special Judge, Jeypore in connection with Nandapur P.S. Case No.13 of 2021 corresponding to G.R. Case No. 79 of 2021 within three weeks from today. In the event of his surrender and motion

for bail, learned Addl. Sessions Judge-cum-Special Judge, Jeypore is called upon to consider and dispose of the bail application of the petitioner on the same day, on merit in accordance with law independently without being influenced by non-consideration of his prayer for ABLAPL.

5. In that event, the Case Diary shall be made available to the Special Court for just consideration of the bail application filed by the petitioner.

6. Ground of parity, if canvassed by learned counsel for the petitioner may be taken into consideration by the learned Court below while considering the petitioner's application for bail.

7. Accordingly, the ABLAPL is disposed of.

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

V.Narasingh
(Vacation Judge)