

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4843 of 2022

Nandhu Gopal Jena

.... ***Petitioner***
Mr.S.K. Dwibedi, Advocate,

-versus-

State of Odisha

.... ***Opposite Parties***
Miss. Samapika Mishra, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
01.11.2022**

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Petitioner having been implicated in connection with Kamarda P.S. Case No.74 of 2021 corresponding to C.T. Case No.533 of 2021 on the file of learned Nyayadhikari, Gramya Nyayalaya-cum- J.M.F.C., Bhograi for alleged commission of offence under Section 306, I.P.C. has filed this application under section 438 of Cr.P.C. for grant of bail in the event of his arrest in the said case.
3. Heard learned counsel for the Petitioner 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 grant anticipatory bail to the Petitioner; this application stands

disposed of with an observation that in the event the Petitioner surrenders before the court in seisin of the case within three weeks hence and move for his release on bail, the same shall be considered on its own merit, without being prejudiced by this order and disposed of early in accordance with law so as to enable the Petitioner in case necessity so arises, to approach the next higher forum early.

The case record be transmitted at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of. Interim order dated 26.08.2022 stands vacated.

6. Issue urgent certified copy as per rules.

(D.Dash)
Judge

Himansu

