

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5374 of 2022

Dillip Mahanta

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. R. Tripathy, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
07.06.2022

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.696 of 2022, arising out of Ghatgaon P.S. Case No.84 of 2022 pending in the Court of learned S.D.J.M. Keonjhar, Dist-Keonjhar for commission of offence punishable under Sections 394/397/34 of the IPC.
4. On a conspectus of materials on record, ABLAPL is disposed of with the observation that the petitioner, if so advised, may surrender before the learned S.D.J.M. Keonjhar, Dist-Keonjhar, in connection with G.R. Case No.696 of 2022, arising out

of Ghatgaon P.S. Case No.84 of 2022 within 15 days (Fifteen) days from today.

5. In the event of his surrender and motion for bail, the application for bail shall be considered by the learned S.D.J.M. Keonjhar, Dist-Keonjhar on merits in accordance with law, in the first hour of the day. In the event of rejection of the prayer for bail by learned S.D.J.M. Keonjhar, Dist-Keonjhar, the petitioner is at liberty to move the higher forum for bail in the second hour on the same day.

6. On being so moved, the higher forum shall dispose of the bail application of the petitioner on the same day on merit in accordance with law. In that event, the Case Diary be made available to the concerned courts to facilitate disposal of the bail application of the petitioner, and learned S.D.J.M. Keonjhar, Dist-Keonjhar 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.

7. Ground of parity, if any, may be considered by the learned Court below on same being canvassed by learned counsel for the petitioner at the time of consideration of the bail application.

8. Accordingly, the ABLAPL stands disposed of.

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

(V. NARASINGH)
Vacation Judge

Santoshi