

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5965 of 2020

Babuli Kak @ Babli & Others

.... ***Petitioners***
Mr.A.K. Rout, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. D.R. Parida, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
28.03.2022

Order No.

- 03.
1. This matter is taken up through hybrid arrangement.
 2. The Petitioners having been implicated in connection with Sundargarh Town P.S.Case No.127 of 2020 corresponding to G.R. Case No.631 of 2020 on the file of the learned S.D.J.M., Sundargarh for alleged commission of offence under sections 147/148/427/435/307/506/149, I.P.C. read with section 25/27 of the Arms Act have filed this application under section 438 of Cr.P.C. for grant of 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 further taking into account the factum of release of co-accused person/s on bail and if similarly situated with the Petitioners on the ground of parity 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.

4. The case records be transmitted at the cost of the Petitioners.

5. The ABLAPL is accordingly disposed of. The interim order dated 04.06.2020 passed in ABLAPL No.5695 of 2020 does no more survive.

6. Issue urgent certified copy as per rules.

(D. Dash)
Judge