

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 5440 of 2022**

***Subrat Das @ Dash***

.... ***Petitioner***  
Mr. A. Mishra, Advocate

*-versus-*

***State of Odisha***

.... ***Opposite Party***  
Miss. S. Mishra, ASC

**CORAM:**

**JUSTICE V.NARASINGH**

**ORDER**  
**10.06.2022**

**Order No.**

01.       1.       This matter is taken up through hybrid mode.
2.       Heard learned counsel for the parties.
3.       The petitioner is seeking pre-arrest bail in connection with G.R. Case No.190 of 2021 arising out of Rampur P.S. Case No. 118 of 2021 pending in the Court of learned JMFC, S. Rampur for commission of offence punishable under Sections 392/34 of the I.P.C.
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 JMFC, S. Rampur in the above noted case 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 JMFC, S. Rampur 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 JMFC, S. Rampur 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. The Case Diary be made available to the concerned courts to facilitate disposal of the bail application of the petitioner, and learned JMFC, S. Rampur 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. It is submitted by the learned Counsel for the petitioner that the petitioner has no criminal proclivity. While enlarging the petitioner on bail, the learned Court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal antecedents, this order shall stand recalled automatically without any further reference to this Court.

9. Accordingly, the ABLAPL stands disposed of.

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

***V.Narasingh***  
***(Vacation Judge)***

Dhal