

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5653 of 2022

Basanta Nahak @ Naik

.... ***Petitioner***
Mr. M. Acharya, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Ms. Samapika Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.06.2022

Order No.

01.

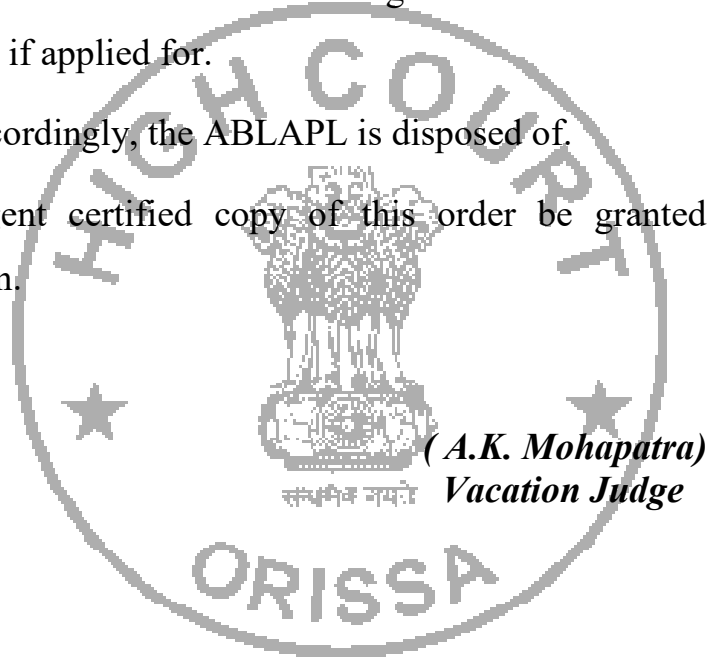
1. This matter is taken up through video conferencing mode.
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel for the State.
3. It is submitted by learned counsel for the petitioner that the principal accused already been released on bail and he may be given parity.
4. The petitioner is apprehending arrest for the alleged commission of offence under Sections 2(16)(a), 20, 9, 39(d), 43, 44 and 49(B) of the Wild Life Protection Act, 1972 in 2(b) C.C. Case No.03 of 2022, arising out of O.R. Case No.01 of 2022-23.
5. Considering the nature of allegations, gravity of offence and the fact of the case I am not inclined grant anticipatory bail to the petitioner.
6. However, on the submission of the learned counsel, the petitioner is given liberty to surrender before the J.M.F.C., Odagaon in the aforesaid case in the first hour within 21 working days hence

and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of materials on record. In case of rejection of the bail application, the petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

7. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the petitioner, if applied for.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.



Jagabandhu