

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5710 of 2022

Narayan Sasmal & others

....

Petitioners

Mr.Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.K.Gaya, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.06.2022

Order No.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for both the parties and perused the records.
3. The Petitioners are apprehending arrest for the alleged commission of offence under Sections 341,294,506,307,323,324/34 of the Indian Penal Code in G.R.Case No.202 of 2022 of the Court of the learned J.M.F.C., Purushottampur, arising out of Purushottampur P.S.Case No.217 of 2022.
4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioners.
5. However, on the submission of the learned counsel, the Petitioner No.5-Ratikanta Sasmal is given liberty to surrender before the learned J.M.F.C., Purushottampur 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 the materials on record. In case of rejection of the bail application, the Petitioner No.5 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 No.5 on the same day strictly on the basis of the materials on record.

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

7. Considering the nature of allegations made, gravity of the offence and the fact of the case, it is directed that in the event the Petitioner Nos.1 to 4, 6 & 7 surrender before the learned J.M.F.C., Purushottampur in G.R.Case No.202 of 2022 arising out of Purushottampur P.S.Case No.217 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as the learned magistrate may deem just and proper.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy of the order as per Rules.

RKS

(A.K. Mohapatra)
Vacation Judge