

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5770 of 2022

Suraj Mandal

....

Petitioner

Mr.D.R. Bhokta, Advocate

-versus-

State of Odisha

....

Opposite Party

Miss. Samapika Mishra, ASC

CORAM:

MR. JUSTICE D.DASH

ORDER

26.10.2022

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual/physical mode).
 2. The Petitioner having been implicated in connection with Jeypore Town P.S. Case No.70 of 2022 corresponding to G.R. Case No.293 of 2022 on the file of learned S.D.J.M., Jeypore for alleged commission of offence under sections-364/323/325/307/34, I.P.C., read with sections 25 & 27 of the Arms Act has filed this application under section 438 of Cr.P.C. for grant of bail in the event of his arrest in the said case.
 3. Heard learned counsel for the Petitioner 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 grant of anticipatory bail to the Petitioner, this application stands disposed of with the observation that when the occasion would so arise for the learned court in seisin of the case to consider the

matter relating to grant of regular bail to the Petitioner, the same shall be considered on its own merit; further taking into account the factum of release of co-accused person(s) on bail, if similarly situated with the Petitioner on the ground of parity, as per law and disposed of early in accordance with law so as to enable the Petitioner to approach the next higher forum early in case necessity so arises. The case record be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly dismissed.
Interim order dated 13.06.2022 does no more survive.
6. Issue urgent certified copy as per rules.

(D. Dash)
Judge

Himansu

