

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6057 of 2022

1. Sk. Allamuddin

2. Sk. Murat Meain @ Sk.

Murad Miyan

....

Petitioners

Mr. K. Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

ORDER

22.06.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Rasgovindpur P.S. Case No.273 of 2021 corresponding to C.T. Case No.72 of 2021 pending in the Court of learned J.M.F.C., Rasgovindpur for alleged commission of offences under sections 379/411/34 of the Indian Penal Code and 11(1)(a)(d)(c)(f)(g) of the Prevention of Cruelty to Animals Act, 1960 and under section 7 of the Prevention of Cow Slaughter Act, 1980.

Learned counsel for the petitioners submitted that some of the co-accused persons were taken into custody and they have already been released on bail and the petitioners may be permitted to surrender in the Court below and move for bail and the claim of parity with the co-accused released on bail may be taken into account while adjudicating the bail application.

Learned counsel for the State has no serious objection to such prayer.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioners, I direct that in the event the petitioners surrender and move for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously by the learned Courts below and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge