

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6089 of 2022

Pabitra Hati @ Mana Hati* *Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
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 the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Birmaharajpur P.S. Case No.185 of 2021 corresponding to G.R. Case No.397 of 2021 pending in the Court of learned S.D.J.M., Birmaharajpur for commission of the alleged offences punishable under section 304/34 of the Indian Penal Code, section 135 of the Electricity Act and section 51 of the Wild Life (Protection) Act, 1972.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that one of the co-accused has been released on bail by the

learned Court below and the petitioner may be permitted to surrender in the learned Court below and move for bail and claim of parity may be taken into account.

Learned counsel for the State has no serious objection.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law and claim of parity with the co-accused, who is stated to have been released on bail, shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM