

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6094 of 2022

1. Ranjan Behera
2. Jayaram Behera @
Tukuna
3. Balia Behera @ Balaram
4. Sumana Behera
5. Sidheswar Behera @
Jalia
6. Aruna Kumar Nayak
7. Bhagaban Behera **Petitioners**

Mr.P.C. Moharana, Advocate

-versus-

State of Odisha **Opp. Party**

Mr.Manoranjana Mishra,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
29.06.2022

Order No.

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

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nihalprasad P.S. Case No.122 of 2022 corresponding to G.R. Case No.245 of 2022 pending in

the Court of learned J.M.F.C., Gondia for alleged commission of offences under sections 341, 324, 307, 379, 34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that one of the co-accused was taken into custody and he has 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.

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

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