

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7040 of 2020

Sitanshu Kalta & Another ***Petitioner***
Mr.Suryakanta Dwibedi, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. D.R. Parida, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
31.03.2022

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Petitioners having been implicated in connection with Kantamal P.S. Case No.72 of 2020 corresponding to C.T. No.143 of 2020 pending in the court of the learned J.M.F.C., Kantamal for alleged commission of offence under sections 294/323/324/325/307/506/34, I.P.C. read with section 25 of the Arms Act have filed this application under section 438 of Cr.P.C. for grant of bail in the event of their arrest in the said case.
3. Heard learned counsel for the Petitioners 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 Petitioners, this application stands disposed of with the observation that in the event the Petitioners

surrender before the court in seisin of the aforesaid case and move for their release on bail, 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 Petitioners to approach the next higher forum early in case necessity so arises. The case record be made available at the cost of the Petitioners.

5. The ABLAPL is accordingly dismissed.

Interim order passed on 02.07.2020 does no more survive.

6. Issue urgent certified copy as per rules.

(D. Dash)
Judge

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