

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.6450 OF 2021

***Prakash Chandra Tripathy &
Another***

....

Petitioners

Mr. B.N. Satapathy, Advocate

-versus-

State of Odisha

....

Opposite Party
Mr. S. Jena, ASC.

**CORAM:
MR. JUSTICE D.DASH**

ORDER

04.08.2022

Order No.

04. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioners having been implicated in connection with Paradeep P.S. Case No.97 of 2021 corresponding to G.R. Case No.522 of 2021 for alleged commission of offence under section-341/342/385/387/323/326/120-B/395/506/34 of the IPC read with Section-25/27 of the Arms Act, pending on the file of learned S.D.J.M., Balasore, have filed this application under section-438 of the Cr.P.C. for their grant of anticipatory bail in the event of their arrest in the above mentioned case.
3. Heard learned Counsel for the Petitioners and learned Counsel for the State.
4. Considering the submissions and viewing the materials on record as also other surrounding circumstances; further taking into account the statement of the victim recorded under section-164 of the Cr.P.C., while being not inclined to grant of anticipatory bail

to the Petitioners, this application is 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 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 disposed of.

Interim order passed on 02.06.2021 does no more survive.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

