

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6367 of 2022

**1. Jahed Khan
2. Saleha Bibi @ Saleha
Khatun @ Salera Bibi**

.... Petitioners

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. A. Das,
Addl. Government Advocate*

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

**ORDER
05.07.2022**

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 Talsari Marine P.S. Case No.19 of 2022 corresponding to C.T. Case No.142 of 2022 pending in the Court of learned Nyayadhikari, Gramya Nyayalaya -cum- J.M.F.C., Bhograi for alleged commission of offences under sections 498-A, 302, 304-B, 34 of the Indian Penal Code read with section

4 of the D.P. Act.

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.

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

