

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6434 of 2022

Basanti Behera

....

Petitioner

Mr.R.N.Singh, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.Manoranjan Mishra,
Addl. Standing Counsel*

**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 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 C.T. Case No.2084 of 2022 arising out of Dhauli P.S. Case No.78 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 294/341/354/307/379/427/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that during course of investigation, some of the co-accused persons were taken into judicial custody and they have been enlarged on bail and the petitioner may be permitted

to surrender in the learned Court below and move for bail and claim of parity so also proviso to section 437(1) Cr.P.C. 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 Courts below in accordance with law and claim of parity with the co-accused persons, who are stated to have been released on bail, so also proviso to section 437(1) Cr.P.C. 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