

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6509 of 2022

Madhab Rao

....

Petitioner

Mr.A.S. Paul, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

**ORDER
06.07.2022**

Order No.

01.

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

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Air Field P.S. Case No. 171 of 2021 corresponding to C.T. Case No. 2839 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for the commission of the alleged offence punishable under section 379 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that some of the co-accused persons, who were taken into custody have already been released on bail and therefore, the petitioner

may be permitted to surrender in the Court below and move for bail and the claim of parity may be taken into account.

Learned counsel for the State has no objection to such prayer.

Considering the submissions of the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to the petitioner to surrender and move for bail in the Court below within a period of four weeks from today, in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused persons, who are stated to have been released on bail, shall be taken into account. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(**S.K. Sahoo**)
Judge