

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6615 of 2022

Hakim Khan @ Hapus* *Petitioner

Mr. N.K. Lenka, 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 Nayagarh P.S. Case No. 48 of 2022 corresponding to G.R. Case No.49 of 2022 pending in the Court of learned Special Judge-cum- Sessions Judge, Nayagarh for the commission of the alleged offences punishable under sections 21(C) and 29 of the N.D.P.S. Act, 1985.

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

Learned counsel for the petitioner submitted that some of the co-accused has already been released on bail and

therefore, the petitioner may be permitted to surrender in the learned 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.

In view of such submission made by the learned counsel for the petitioner, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to him 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 Court below shall dispose of the bail application in accordance with law expeditiously and the claim of parity with the co-accused person, who is stated to have been released on bail shall be taken into account. The case records shall be made available to the Court concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge