

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6746 of 2022

Archana Sahoo and others *Petitioners*
Mr. Anirudha Das, Advocate
-versus-
State of Odisha *Opposite Party*
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
12.08.2022

Order No.

I.A. No.1068 of 2022

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners as well as learned counsel for the State.
3. In view of the submissions made, the order dated 02.08.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

(A.K. Mohapatra)
Judge

ABLAPL No.6746 of 2022

04. 4. Heard.
5. The petitioners are apprehending arrest for the alleged commission of offence under Sections 341/294/323/307/506/34, I.P.C. in G.R. Case No.659 of 2022 of the court of the learned

S.D.J.M., Dhenkanal, arising out of Info Dhenkanal Sadar P.S. Case No.236 of 2022.

6. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the petitioners.

7. It is submitted by learned counsel for the petitioners that on similar footing with the present petitioners, other co-accused persons have already been released on bail.

8. However, on the submission of the learned counsel, the petitioners are given liberty to surrender before the learned S.D.J.M., Dhenkanal in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider their application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the petitioners may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the petitioners on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

9. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the petitioners, if applied for.

10. The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge