

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6792 of 2022

Sipak Kumar Bata* *Petitioner

Mr. C. Pradhan, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

**ORDER
13.07.2022**

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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Dharmasala P.S. Case No.542 of 2019 corresponding to C.T. Case No.1673 of 2019 pending in the Court of learned J.M.F.C., Chandikhole for commission of the alleged offences punishable under sections 341/342/323/379/384/302/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner has not been named as an accused in the first information report and the co-accused persons were taken into judicial custody and they have already been

released on bail and the petitioner may be permitted to surrender in the learned Court below and move for bail and claim of parity 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, 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