

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6858 of 2022

Ajay Kumar Tripathy

....

Petitioner

Mr. Aparesh Bhoi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P. Tripathy, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.07.2022

Order No.

- 01.
1. This matter is taken up through Video Conferencing mode.
 2. Heard learned counsel for both the parties and perused the records.
 3. The Petitioner is apprehending arrest for the alleged commission of offence under Sections 419/420 of the Indian Penal Code read with Section 66(C) & 66(D) of the Information Technology Act, 2000 in C.T.Case No.296 of 2022 of the Court of the learned S.D.J.M., Nilgiri arising out of Balasore Cyber Crime & Economic Offences P.S.Case No.06 of 2022.
 4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner.
 5. It is submitted by the learned counsel for the Petitioner that one of the co-accused has already been released on bail.
 6. Considering the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned S.D.J.M., Nilgiri 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 his 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 Petitioner 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 Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

7. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.
8. The ABLAPL is accordingly disposed of.
9. Issue urgent certified copy of the order as per Rules.

Jagabandhu

