

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7021 of 2022

Janardan @ Danardan Muduli and Petitioners
others

Mr. S.P. Dash, Advocate

-versus-

State of Odisha Opposite Party
Mr. Sitikanta Mishra, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
18.07.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Heard learned counsel for both the parties and perused the records.
3. The Petitioners apprehend their arrest in connection with Khandapada P.S. Case No.132 of 2022, corresponding to G.R. Case No.127 of 2022, pending in the court of learned J.M.F.C., Khandapada, for the alleged commission of offences under Sections 498-A/323/341/354/354-A/506/34 of I.P.C.
4. Considering the submissions made, this Court is not inclined to grant bail in respect of Petitioner Nos.3, 5 and 7. However, Petitioner Nos.1, 2, 4, 6 & 8 are directed to surrender before the court in seisin over the matter, which shall be considered in accordance with law.
5. Keeping the nature of allegations made against the Petitioner Nos.3, 5 & 7, this Court grants liberty to the Petitioner

nos.3, 5 & 7 to surrender before the learned court below in the aforesaid case in the first hour within 21 (twenty one) working days hence and move for bail. In such event, learned Magistrate shall consider the application for bail in the first hour strictly on the basis of the materials available on record. In case of rejection of the bail application, the Petitioners may move for bail before the Higher Forum in the second hour. In 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.

6. Case Diary be made available to the concerned court. Records be transmitted to the Higher Forum at the cost of the Petitioners, if applied for.

7. Further, Petitioner Nos.1, 2, 4, 6 and 8 are directed to surrender before the learned J.M.F.C., Khandapada, in G.R. Case No.127 of 2022, in connection with Khandapada P.S. Case No.132 of 2022, within a period of four weeks hence, they shall be released on bail on such terms and conditions as would be deemed just and proper by the court below.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

