

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7036 of 2022

<i>Gourahari Patra @ Gaura Patra</i>		<i>Petitioner</i>
		<i>Mr. S. Pr. Das, Advocate</i>
	-versus-	
<i>State of Odisha</i>		<i>Opp. Party</i>
		<i>Mr. S. Mishra, A.S.C.</i>

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
05.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned counsel for the State.
 3. The petitioner is apprehending arrest for the alleged commission of offence under Sections 341/379/307/506/34, I.P.C. read with Sections 25 and 27 of the Arms Act in C.T. Case No.6721 of 2021 corresponding to Nayapalli P.S. Case No.557 of 2021 of the court of the learned S.D.J.M., Bhubaneswar.
 4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the petitioner.
 5. However, on the submission of the learned counsel, the petitioner is given liberty to surrender before the learned S.D.J.M., Bhubaneswar 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.

6. 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.

7. The ABLAPL is accordingly disposed of.

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

(*A.K. Mohapatra*)
Judge

