

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.7191 of 2022**

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

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**  
**25.07.2022**

**Order No.**

**I.A. No.899 of 2022**

02.        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 19.07.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

**( A.K. Mohapatra )**  
**Judge**

**ABLAPL No.7191 of 2022**

03.        4.        Heard.
5.        The petitioners seeking pre-arrest bail in connection C.T. Case No.398 of 2022, arising out of Singla P.S. Case No.128 of 2022 pending in the court of learned J.M.F.C., Basta for commission of

offence punishable under Section 363/365/294/506/34, I.P.C.

5. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the present case.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioner no.1-Jhadeswar Sahu, petitioner No.2-Subhadra Sahu and petitioner No.3-Babita Senapati surrender before the learned court in seisin over the matter in the aforesaid case within a period of three weeks from today, aforesaid petitioner no.1-Jhadeswar Sahu, petitioner No.2-Subhadra Sahu and petitioner No.3-Babita Senapati shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper.

7. However, on the submission of the learned counsel, the petitioner no.4-Harekrushna Giri is given liberty to surrender before the court in seisin over the matter 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 materials on record. In case of rejection of the bail applications, the petitioner no.4-Harekrushna Giri 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 no.4 on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

8. 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.

9. Accordingly, the ABLAPL is disposed of.

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

( *A.K. Mohapatra* )  
*Judge*

Jagabandhu

