

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 7621 of 2022

Paramananda Bishi & another ***Petitioners***
Mr. Tirth Kumar Sahu, *Advocate*

-versus-

State of Odisha ***Opposite Party***
Mr.S.Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
21.07.2022

Order No.

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. It is submitted by the learned counsel for the Petitioners that Petitioner No.1 has already arrested in the meantime. Therefore, this application has become infructuous.
4. So far as the Petitioner No.2 is concerned, he is apprehending arrest for the alleged commission of offence under Sections 341, 325, 294, 323, 506/34 of the Indian Penal Code in G.R.Case No.212 of 2022 of the Court of the learned S.D.J.M., Titlagarh, arising out of Titlagarh P.S.Case No.170 of 2022.
4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner No.2.
5. However, on the submission of the learned counsel, the Petitioner No.2 is given liberty to surrender before the learned

S.D.J.M., Titilagarh in the aforesaid case in the first hour within 21 working days hence and moves 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 no.2, if applied for.

7. The ABLAPL is accordingly disposed of.

8. Issue urgent certified copy of the order as per Rules.

RKS

