

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 7649 of 2022

Sanjaya Kumar Naik @ Sanjaya Naik & another ***Petitioners***

Mr.P.K.Nayak, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr.Shasanka 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. The Petitioners are apprehending arrest for the alleged commission of offence under Sections 498-A,323,294,506,436, 379/34 of the Indian Penal Code in G.R.Case No.467 of 2021 of the Court of the learned S.D.J.M., Nayagarh, arising out of Nuagaon P.S.Case No.102 of 2021.
4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioners.
5. It is submitted by the learned counsel for the Petitioners that the Petitioners have been falsely implicated in this case by the informant and they are no way connected in the alleged crime.
6. However, on the submission of the learned counsel for the Petitioners, the Petitioners are given liberty to surrender before the

learned S.D.J.M., Nayagarh 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 Petitioners 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 Petitioners on the same day strictly on the basis of the materials on record.

7. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioners, if applied for.

8. The ABLAPL is accordingly disposed of.

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

RKS

