

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7878 of 2022

Sanu Swain and others

.... ***Petitioners***
Mr. B.K. Raj, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.07.2022

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 are apprehending arrest for the alleged commission of offence under Sections 147/148/352/323/324/307/336/427/149, I.P.C. and Sections 3 and 4 of the Explosive Substances Act, 1908 in G.R. Case No.1169 of 2022 of the court of the learned S.D.J.M., Puri.
4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the petitioners.
5. It is submitted by learned counsel for the petitioner that on similar footing with the present petitioner, other co-accused person has already been released.
6. However, on the submission of the learned counsel, the petitioners are given liberty to surrender before the learned S.D.J.M., Puri 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 their 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 Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

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.

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

Jagabandhu

