

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8111 of 2022

Itiranjan Das @ Pintu & others ***Petitioners***
Mr. Jayakrishna Mohapatra, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr.P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.08.2022

Order No.

02.

I.A.NO.1180 OF 2022

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. Considering the submissions, the order dated 26.07.2022 passed in ABLAPL No.8111 of 2022 relating to Petitioner No.2 is recalled and the following order is passed.
4. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
5. The Petitioner No.2 is apprehending his arrest for the alleged commission of offence under Section 379,411/34 of the Indian Penal Code in G.R.Case No.504 of 2022 corresponding to Chandbali P.S.Case No.201 of 2022 of the Court of the learned J.M.F.C.,

Chandbali.

6. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner No.2.

7. However, on the submission of the learned counsel, the Petitioner No.2 is given liberty to surrender before the learned J.M.F.C., Chandbali 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 No.2 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.2 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 No.2 if applied for.

9. The I.A. is accordingly disposed of.

10. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge