

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.8615 OF 2021

Gopal Sahu & Others

.... ***Petitioners***
Mr. A.K. Nath, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S. Jena, ASC,
Mr. R.L. Pattnaik, Adv. (Informant).

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
08.08.2022**

Order No.

02. 1. The matter is taken up through hybrid arrangement (physical/virtual) mode.
2. The Petitioners having been implicated in connection with Handapa P.S. Case No.161 of 2021 corresponding to Special (POCOS) Case No.46 of 2021 pending on the file of learned Judge, Special Court (POCSO), Angul for alleged commission of offence under Section-498-A/506/323/313/376(2)/34 of the IPC read with section-4 of the POCSO Act, have filed this application under Section-438 of the Cr.P.C. for their release on bail in the event of their arrest in the aforesaid case.
3. Heard learned counsel for the Petitioners and learned counsel for the State as well as learned Counsel for the Informant.
4. Considering the submissions made and viewing the materials on record as also other surrounding circumstances, while being not inclined consider the prayer for grant of anticipatory bail to the Petitioners, this application is disposed of with the observation that in the event the Petitioners surrender before the

Court in seisin of the aforesaid case and move for their release on bail, the same shall be considered on its own merit; further taking into account the factum of release of co-accused person(s) on bail, if similarly situated with the Petitioner on the ground of parity as per law and disposed of early in accordance with law.

5. The ABLAPL is accordingly disposed of.

Interim order passed on 26.07.2021 does no more survive.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

