

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 8174 of 2022

Rakesh Deheri & others

....

Petitioners

Mr.Sunil Ku. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.07.2022

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 the principal accused, has assaulted the injured and the present petitioner was present at the spot. However he has not assaulted the injured..
4. The Petitioners are apprehending arrest for the alleged commission of offence under Sections 341,323,324,325,326,307/34 of the Indian Penal Code in G.R.Case No.1782 of 2022 of the Court of the learned S.D.J.M., Sambalpur, arising out of Burla P.S.Case No.261 of 2022.
4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioners.
5. However, on the submission of the learned counsel, the Petitioners are given liberty to surrender before the learned S.D.J.M.,

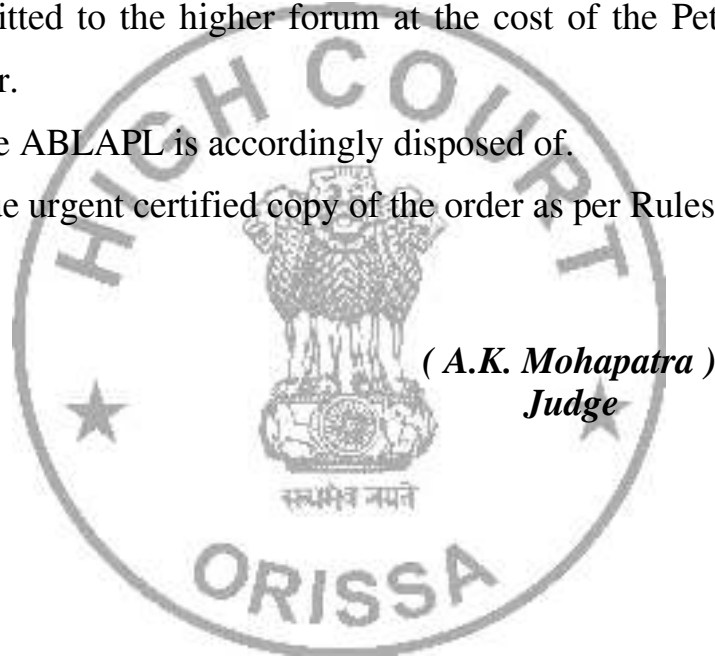
Sambalpur in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider their application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioners 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 Petitioners 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 Petitioners , if applied for.

7. The ABLAPL is accordingly disposed of.

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

RKS



(*A.K. Mohapatra*)
Judge