

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 8188 of 2022

Babuli Malik @ Mallik & others ***Petitioners***
Mr.Satyabrata Dash, 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. The Petitioners are apprehending arrest for the alleged commission of offence under Sections 498-A,302,304-B/34 of the Indian Penal Code in C.T.Case No.1478 of 2022 of the Court of the learned S.D.J.M., Jajpur, arising out of Kuakhia P.S.Case No.208 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.,Jajpur 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, 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

