

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8793 of 2022

Nrusingh Mansingh @ Sania ***Petitioner***
Mr. Manas Ranjan Panda, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
01.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 307/120-B, I.P.C. and Sections 4 & 5 of Explosive Substances Act.
4. It is submitted by learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R. and the main accused namely Sadasiv Mansingh @ Miki has been arrested and released on bail in the meantime.
5. Considering the seriousness and gravity of the offence as alleged and the facts of the case, although this Court is not inclined to grant anticipatory bail to the Petitioner, however it is observed

that, the Petitioner is given liberty to surrender before the learned S.D.J.M., Puri in G.R. Case No.3150 of 2021 corresponding to Puri Town P.S. Case No.289 of 2021 in the first hour within 21 working days hence and move for bail. In such event, the learned Magistrate shall consider the bail application of the Petitioner in the first hour of the day, strictly on the basis of the materials available on record. In case of rejection of the bail application by the learned Magistrate, the Petitioner may move for bail before the higher forum in the second hour of the same day. In that event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day on merit, strictly on the basis of the materials available on record. Ground of parity, if canvassed by the learned counsel for the Petitioner, shall be taken into consideration by the learned Courts below while considering the bail application of the Petitioner in accordance with law.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge