

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9068 of 2022

***Thakur @ Uttam Mandal and
others***

....

Petitioners

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

03.08.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned counsel for the State.
4. The petitioners are apprehending arrest for the alleged commission of offence under Sections 363/366-A/34, I.P.C. in G.R. Case No.835 of 2019 of the court of the learned S.D.J.M., Kendrapara, arising out of Marine P.S. Case No.54 of 2019.
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., Kendrapara 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.

Urgent certified copy of this order be granted on proper application.

(*A.K. Mohapatra*)
Judge

