

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10393 of 2020

Gagan Behera & Others

.... ***Petitioners***
Mr.P.K. Rout, Advocate,

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.K. Nayak, AGA

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

**ORDER
02.05.2022**

Order No.

04. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Petitioners having been implicated in connection with Nischintakoil P.S. Case No.108 of 2020 corresponding to G.R. Case No.621 of 2020 on the file of learned J.M.F.C., Salipur for alleged commission of offence under Sections 147/148/341/294/325/326/307/379/506/149, I.P.C. have filed this application under section 438 of Cr.P.C. for grant of bail in the event of their arrest in the said case.
3. Heard learned counsel for the Petitioners and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances; while being not inclined to grant anticipatory bail to the Petitioners; this application stands

disposed of with an observation that in the event the Petitioners surrender before the court in seisin of the case within three weeks hence and move for their release on bail, the same shall be considered on its own merit, without being prejudiced by this order and disposed of early in accordance with law so as to enable the Petitioners in case necessity so arises, to approach the next higher forum early.

The case record be transmitted at the cost of the Petitioners.

5. The ABLAPL is accordingly disposed of.
6. Interim order dated 25.09.2020 stands vacated.
7. Issue urgent certified copy as per rules.

(D.Dash)
Judge

Himansu

