

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9359 of 2022

Kailash Paikaray @ Kailas Paikray ***Petitioner***
Mr. J. Pr. Parida, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard the learned counsel for the petitioner and learned counsel for the State. This is an application under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Jodapadar P.S. Case No. 0045 of 2022 corresponding to G.R. G.N. Case No.93 of 2022 pending in the Court of learned Nayadhikari, Gram Nayalaya, Brahmagiri, Puri for the commission of the alleged offences punishable under Sections 341/323/379/506/307/332/109/34 of the Indian Penal Code.
3. Learned counsel for the State on instruction submitted that there are as many as three criminal antecedents against the petitioner including an offence under Section 307 of the Indian Penal Code in one of the cases.
4. Perused the first information report.
5. Learned counsel for the petitioner submits that on similar footing with the present petitioner, another co-accused, namely,

Laxmidhar Jagadev, has already been released on anticipatory bail by this Court in ABLAPL No,2285 of 2022 vide order dated 23.03.2022.

6. In view of instruction obtained by the learned counsel for the State and the nature and gravity of the accusation against the petitioner as per the first information report and particularly availability of criminal antecedents against the petitioner as submitted by the learned counsel for the State, while not inclining to grant anticipatory bail to the petitioner, I direct that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously by the Courts below. The case records shall be made available to the Court concerned.

7. The ABLAPL stands disposed of.

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

(*A.K. Mohapatra*)
Judge