

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9402 of 2022

1. Ajaya Samal
2. Akhaya Kumar Samal @
Akshaya Samal **Petitioners**

Mr. A.R. Panda, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
02.11.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Simulia P.S. Case No.41 of 2017 corresponding to C.T. Case No.175 of 2017 pending in the Court of learned J.M.F.C., Soro for alleged commission of offences under sections 147/148/341/294/323/324/307/427/506/149 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that when the petitioners approached this Court earlier in ABLAPL No.4120 of 2017, while granting bail to the other co-accused persons, the bail application of the petitioners was rejected as per the order dated 27.04.2017. It is further submitted that the petitioners are ready and willing to surrender in the Court below and move for bail and the Courts below may be directed to dispose of the bail application expeditiously and claim of parity may be taken into account.

Learned counsel for the State has no serious objection.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused persons, who are stated to have been released on bail, shall be taken into account at the time of adjudication of the bail application. The case

records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

