

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9450 of 2022

Muna @ Bingyaranjan and others ***Petitioners***
Mr. B. Mansingh, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

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.
3. The petitioners are apprehending arrest for the alleged commission of offence under Sections 341/323/294/448/354/379/506/34, I.P.C. corresponding to Kakatpur P.S. Case No.143 of 2022 of the court of the learned S.D.J.M., Nimapara.
4. It is submitted by learned counsel for the petitioners that the petitioner no.1-Muna @ Bingyaranjan Sahoo has been arrested and released on bail in the meantime.
5. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the petitioner no.2-Banambar Sahoo, petitioner no.3-Sampad Kumar Sahoo and petitioner no.4-Papali Sahoo @ Ratikanta Behera.
6. However, on the submission of the learned counsel, the

petitioners are given liberty to surrender before the learned S.D.J.M., Nimapara 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.

7. 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.

8. The ABLAPL is accordingly disposed of.

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

(*A.K. Mohapatra*)
Judge