

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9489 of 2022

Rabi Nayak and another

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

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

31.10.2022

I.A. No.2057 of 2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the parties.
 3. The I.A. has been filed for the modification of the order dated 10.08.2022 passed in ABLAPL No.9489 of 2022.
 4. It is submitted by leaned counsel for the petitioners that another co-accused has already been released on bail by this Court and while the present bail has been considered parity has not been mentioned and the parity may be given to the petitioner. Hence, modification has been prayed for.
 5. Considering the submissions made by the learned counsel for the petitioner, it is directed that while considering the bail application of the petitioners, learned court below shall consider and dispose of the bail application of the petitioners on the basis of the materials on record by maintaining the principles of parity, if applicable, rest part of the order shall remain intact.

6. Four weeks' further time from today is extended for the petitioners to surrender before the learned court below, vide order dated 10.08.2022 passed in ABLAPL No.9489 of 2022, but subject to depositing cost of Rs.500/- (Rupees five hundred) in the Advocates' Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit.

7. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the petitioners to surrender shall stand revoked automatically.

8. The I.A. is disposed of accordingly.

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

(*A.K. Mohapatra*)
Judge

Jagabandhu

