

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.9583 OF 2022

Basanta Swain & Another

....

Petitioners

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. Samapika Mishra, ASC,

CORAM:

MR. JUSTICE D.DASH

ORDER

16.08.2022

Order No.

- 02.
1. The matter is taken up through hybrid arrangement (physical/virtual) mode.
 2. The Petitioners having been implicated in connection with Banki P.S. Case No.34 of 2018 corresponding to G.R. Case No.44 of 2018 pending on the file of learned S.D.J.M., Banki for alleged commission of offence under Section-302/307/34 of the IPC, have filed this application under Section-438 of the Cr.P.C. for their release on bail in the event of their arrest in the aforesaid case.
 3. Heard learned counsel for the Petitioners and learned counsel for the State.
 4. Considering the submissions made and viewing the materials on record as also other surrounding circumstances, while being not inclined grant the prayer for grant of anticipatory bail to the Petitioners, this application is disposed of with the observation that in the event the Petitioners surrender before the Court in seisin of the aforesaid case and move for their release on bail, the same shall be considered on its own merit; further taking into account all

such developments which have taken place in the meantime in their proper perspective and disposed of early in accordance with law.

5. The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan

