

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9775 of 2022

Sheshadev Pratapsingh

....

Petitioner

Mr.Saroj Kumar Dash, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.S.Mishra, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for both the parties and perused the records.
 3. It is submitted by the learned counsel for the Petitioner that co-accused persons have already been released on bail.
 4. The Petitioner is apprehending his arrest for the alleged commission of offence under Sections 147, 148, 323, 294, 506, 307/149 of the Indian Penal Code read with Section 9(B) of the I.E.Act and Section 3(a), 4(b) of E.S.Act. in G.R.Case No.1535 of 2013 arising out of Nirakarpur P.S.Case No.140 of 2013 of the Court of the learned NGN-cum-J.M.F.C., Tangi.
 5. Considering the facts of the case, this Court is not inclined to

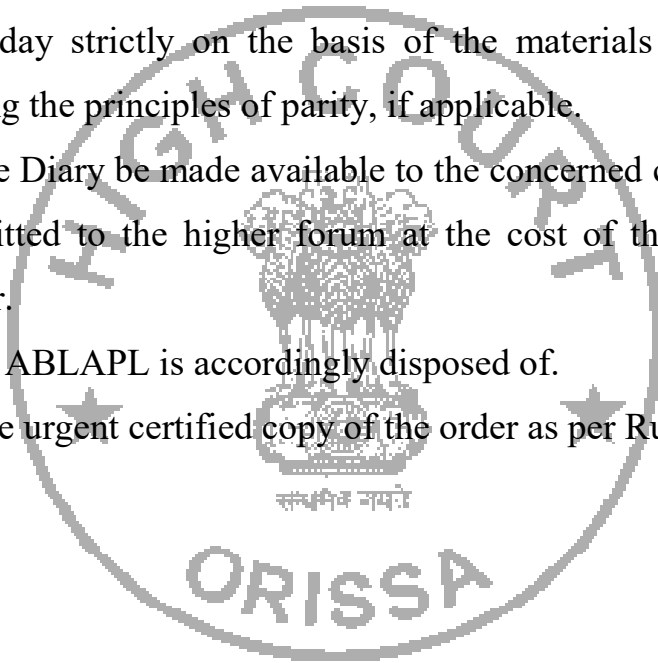
grant anticipatory bail to the Petitioner.

6. However, on the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned NGN-cum-J.M.F.C., Tangi 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 his 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 Petitioner 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 Petitioner on the same day strictly on the basis of the materials on record, by maintaining the principles of parity, if applicable.

7. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy of the order as per Rules.



(A.K. Mohapatra)
Judge