

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9779 of 2022

Rajendra Nahak

....

Petitioner

*Mr. Bhabani Sankar Das,
Advocate*

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
16.09.2022**

Order No.

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

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

Learned counsel for the petitioner submitted that the earlier anticipatory bail application of the petitioner in ABLAPL No.1443 of 2022 was rejected as per order dated 22.02.2022, however liberty was granted to the petitioner to surrender and move for bail before the learned Court below so that the Courts below shall dispose of the same expeditiously and the case records shall be made available to the Courts concerned for adjudication of the bail

application within a period of four weeks.

It appears that the petitioner without surrendering in the Court below as per the aforesaid order, has filed this anticipatory bail application.

Learned counsel for the petitioner submitted that since at the time of placing the earlier anticipatory bail application, some material documents were not available with him, he could not place the matter properly. He further submitted that the petitioner is now ready and willing to surrender before the Court below and move for bail and the period of surrender may be extended and the Courts below may be directed to dispose of the bail applications on the same day.

Learned counsel for the State has no serious objection.

Considering the submission made by the learned counsel for the respective parties and in view of the order already passed in the earlier ABLAPL application, it is observed that in the event the petitioner surrenders on or before 14.10.2022 before the learned J.M.F.C., Khallikote and moves for bail, the same shall be disposed of in the first hour and in the event of rejection of the bail application, the petitioner is at liberty to move the Court of Session on the same day and the said Court

shall make every endeavour to dispose of the bail application expeditiously preferably on the same day. The case records shall be made available to the court concerned for adjudication of the bail application.

Accordingly, the ABLAPL stands disposed of.

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

(S.K. Sahoo)
Judge



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