

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10707 of 2022

Loknath Naik and another

..... Petitioner
Mr.S.K.Dash,Advocate

-versus-

State of Odisha

..... Opp. Parties
Mr.P.C.Das,.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.11.2022

Order No.

03.

I.A.NO. 2305 OF 2022

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as the learned Additional Standing Counsel.
3. Considering the submissions made by the learned counsel for the Petitioners, the order dated 08.09.2022 is recalled and the following order is passed.
4. The Petitioners are apprehending their arrest for the alleged commission of offence under Sections 341,307, 294, 506/34 of the Indian Penal Code in G.R.Case No.196 of 2022 arising out of Anandpur P.S.Case No.203 of 2022 of the Court of the learned S.D.J.M., Anandpur.
5. Considering the facts of the case, this Court is not inclined to

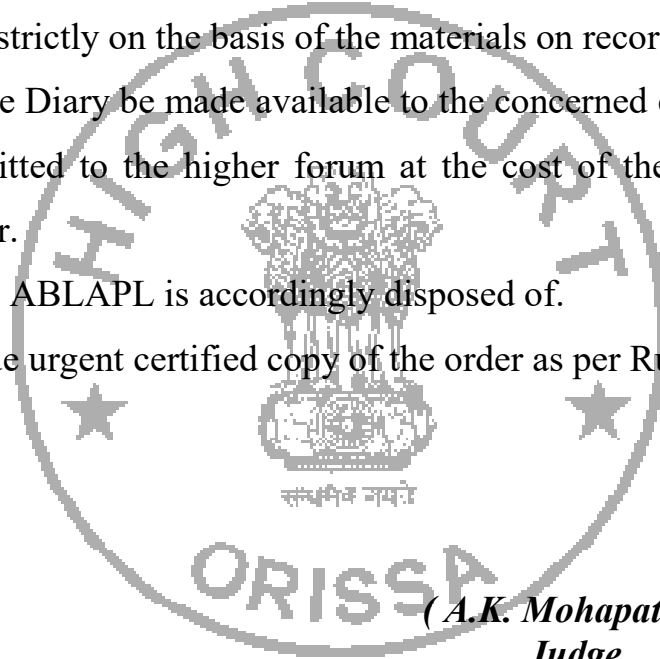
grant anticipatory bail to the Petitioners.

6. However, on the submission of the learned counsel, the Petitioners are given liberty to surrender before the learned S.D.J.M., Anandpur 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.

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



(A.K. Mohapatra)
Judge