

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10718 of 2022

Prasanta Swain & another ***Petitioners***
Mr.Sarathi Jyoti Mohanty, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr.S.Mishra, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.09.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that co-accused namely Kabu @ Surya Narayan Nayak @ Suryaprava Nayak has been released on bail by this Court in ABLAPL No.14313 of 2017 vide order dated 28.11.2018. It is further submitted by the learned counsel for the Petitioners that the Petitioners stand on a better footing than the accused who has been released on bail by this Court.
5. Having regard to the nature of allegations and gravity of the offence and the facts of the case, I am not inclined to grant

anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned A.D.J.-III-cum-Special Judge, Special Court, Bhubaneswar in G.R.Case No.562(A) of 2015 arising out of Pipili P.S.Case No.397 of 2015 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Special Judge.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.

RKS

