

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11092 of 2022

***Premananda Behera @ Pramod
and others***

.... ***Petitioner***
Mr. A.R. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.C. Das, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
13.12.2022

Order No.

I.A. No.2427 of 2022

- 06.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners as well as learned counsel for the State.
 3. Considering the submissions made, the order dated 14.09.2022 is hereby recalled.
 4. Accordingly, the I.A. is disposed of.

ABLAPL No.11092 of 2022

5. Heard.
6. The petitioners are seeking pre-arrest bail in connection with Nuagaon P.S. Case No.147 of 2022, corresponding to G.R. Case No.579 of 2022, pending in the court of learned S.D.J.M., Nayagarh for alleged commission of offences punishable under Sections 341/294/323/325/354/307/506/34 of the I.P.C.

7. Considering the facts of the case, this Court is not inclined to grant pre-arrest bail to the petitioners.

8. However, on the submission of the learned counsel, the petitioners are given liberty to surrender before the learned S.D.J.M., Nayagarh 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 by maintaining the principles of parity, if applicable.

9. 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.

10. The ABLAPL is accordingly disposed of.

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

(A.K. Mohapatra)
Judge