

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11125 of 2022

Akshay Samantaray & another ***Petitioners***
Mr.Suresh Kumar Panda,Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

14.09.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. The Petitioners are apprehending their arrest for the alleged commission of offence under Sections 341,294, 323, 324 307, 506/34 of the Indian Penal Code in G.R.Case No.281 of 2022 arising out of Bolagarh P.S.Case No.37 of 2022 of the Court of the learned S.D.J.M., Khurda.
 3. It is submitted by the learned counsel for the Petitioners that co-accused similarly placed with the Petitioners has been released on bail in BLAPL No.3474 of 2022 vide order dated 16.05.2022.
 4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioners.
 5. However, on the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned S.D.J.M.,

Khurda 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.

6. 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.

7. The ABLAPL is accordingly disposed of.

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

