

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11480 of 2022

Ashok Kumar Rout @ Lipu Rout ***Petitioners***
and others

Mr.T.P.Mohapatra, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

19.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the parties.
3. The Petitioners are apprehending his arrest for the alleged commission of offence under Sections 147, 148, 341, 294, 323, 326, 307, 379, 506/149 of the Indian Penal Code in G.R.G.N.Case No.518 of 2021 arising out of Brahmagiri P.S.Case No.158 of 2021 of the Court of the learned Nyayadhikari Gamanyalaya, Brahmagiri.
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 Nyayadhikari Gamanyalaya, Brahmagiri 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.

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.

