

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11670 of 2022

Ahalya Barik

..... Petitioner
Mr.Santoshi Behera,Advocate

-versus-

State of Odisha

..... Opp. Party
Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.09.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. The Petitioner is apprehending his arrest for the alleged commission of offence under Sections 498-A,304-B,306/34 of the Indian Penal Code in G.R.Case No.142 of 2022 arising out of Gop P.S.Case No.78 of 2022 of the Court of the learned J.M.F.C., Konark.
 3. It is submitted by the learned counsel for the Petitioner that one of the co-accused person stands on similar footing like the Petitioner has been released on bail.
 4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner.
 5. However, on the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned J.M.F.C., Konark 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 her 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.

