

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13847 of 2020

Debadatta Kumar Nayak

.... ***Petitioner***
Mr.B. Sahoo, Advocate

-versus-

State of Odisha

.... ***Opposite Parties***
Mr. Karunakar Das, ASC
Mr. A. Pradhan, Advocate (Informant)

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
21.04.2022**

Order No.

08. 1. This matter is taken up through hybrid arrangement (hybrid/physical) mode.
2. The Petitioner having been implicated in Sambalpur Mahila P.S. Case No.71 of 2020 corresponding to G.R. Case No.3716 of 2020 on the file of learned S.D.J.M., Sambalpur for alleged commission of offence under sections 363/376/506/493/417, I.P.C. read with section 25 & 27 of the Arms Act, has filed this application under section 438 of the Cr.P.C. for his release on bail in the event of his arrest in the said case.
3. Heard learned counsel for the Petitioner and learned counsel for the State as also learned counsel for the Informant.

4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances, while being not inclined to consider the prayer for grant of anticipatory bail to the Petitioner; this application stands disposed of with an observation that in the event the Petitioner surrenders before the court in seisin of the case and moves for their release on bail, the same shall be considered on its own merit and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioner in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case diary be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of. Interim order passed on 03.12.2020 stands vacated.

6. Issue urgent certified copy as per rules.

(D.Dash)
Judge