

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13019 of 2022

***Happy Bhoi @ Prasanta Kumar
Bhoi***

.... ***Petitioner***
Mr. S.K. Lenka, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. D. Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
26.10.2022**

Order No.

02. 1. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
2. This is an application under Section 438, Cr.P.C. filed by the Petitioner praying for anticipatory bail, involving offences punishable under Sections 341/323/354/307/510, I.P.C.
3. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, while this court is not inclined to grant anticipatory bail, the Petitioner is given liberty to surrender before the learned S.D.J.M., Jagatsinghpur in G.R. Case No.1440 of 2022 corresponding to Naugaon P.S. Case No.209 of 2022 within 21 working days from today and moves for bail. In such event the learned Magistrate in seisin over the matter shall consider the bail application of the Petitioner in the first hour of the day, strictly on the basis of the materials available on record. In case of rejection of the bail application by the learned Magistrate, the Petitioner may move

for bail before the higher forum in the second hour of the same day. In that event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day on its own merit, strictly on the basis of the materials available on record. It is made clear that the learned Court shall not be influenced on any of the observations made herein. Case Diary be made available to the learned courts below as soon as possible to facilitate disposal of the bail application of the Petitioner on the same day.

4. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(*Chittaranjan Dash*)
Judge

S.K.Parida

