

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13166 of 2022

1. Bikash Chandra Rout
2. Batua Nayak @ Bijay Nayak **Petitioners**

Mr. S. Dash, Advocate

-versus-

State of Odisha **Opp.Party**

Mr. Arupananda Das
Addl. Govt. Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
16.11.2022

Order No.

02. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard the learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Jenapur P.S. Case No.145 of 2022 corresponding to C.T. Case No.839 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for commission of alleged offences under sections 143/144/506/384/307/379/149 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the State has produced the written instruction dated 09.11.2022 received from the Inspector in-charge of Jenapur police station from which it appears that ten nos. of co-accused persons were arrested and forwarded to Court during course of investigation and the first charge sheet was submitted on 25.09.2022 and the investigation was kept open and the petitioners' involvement is there as per the case records. The written instruction is taken on record.

Learned counsel for the petitioners submitted that some of the co-accused persons, who were forwarded to Court after their arrest, have already been released on bail.

Learned counsel for the State on instruction submitted that the petitioners have got no criminal antecedent.

In view of the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, liberty is granted to them to surrender and move for bail in the Court below within a period of four weeks from today, in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused, who are stated to have been released on bail,

shall be taken into account in accordance with law. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

A free copy of the order be handed over to the learned counsel for the State.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

