

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13764 of 2022

Pradyumna Kumar Patra @ Sinu
and others

Petitioners

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....
Opp. Party
Mr. S. Patra, ASC

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
25.11.2022

Order No.

03.

1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in anticipation of arrest for their alleged involvement in the offences U/s.379/34 IPC read with Section 68 of the OMMC Rules.
3. Learned counsel for the State submits that no criminal antecedent apparently stands to the credit of the Petitioners.
4. Keeping in view the submission of the parties, the nature of allegations as emerged from the material on record, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender before the learned S.D.J.M., Khurda in Khurda Model P.S. Case No.303 of

2022 corresponding to G.R. Case No.1045 of 2022 within three weeks' hence and move for bail, the learned court in seisin over the matter shall consider the bail application of the Petitioners in the first hour of the day, strictly on the basis of the materials available on record in its own merit.

5. In case of rejection of the bail application by the learned court, the Petitioners 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 Petitioners on the same day on its own merit strictly on the basis of the material available on record keeping in view the fact that the Petitioners have no criminal antecedents.

6. Case diary be made available to the learned courts below as soon as possible to facilitate disposal of the bail application of the Petitioners on the same day. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi