

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13820 of 2022

Prasanna Bahinsal and others

Petitioners
Mr. J. Panda, Advocate

-versus-

State of Odisha

Opp. Party
Mr. P.K. Maharaj, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
28.10.2022**

Order No.

01.

1. Heard learned counsel for the Petitioner and the State.
2. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail for the offences under Sections 147/148/186/341/342/332/353/354/427/294/506/509/149 IPC.
3. Keeping in view the submission of the parties and having gone through the nature of allegations as emerged from the material on record and further the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, the Petitioners are at liberty to surrender before the learned J.M.F.C., Kantabanji in G.R. Case No.352 of 2022 corresponding to Turekla P.S. Case No.147 of 2022 within three weeks' from today and move for bail,. In such event 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 on its own merit.

4. In case of rejection of the bail application by the learned court of Magistrate concerned, 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.

5. It is made clear that the learned court below shall not be influenced by any of the observations of this court made herein above in any manner.

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