

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.13856 of 2022**

***Lipendra Sahu @ Lipun Sahu*** .... ***Petitioner***  
*Mr. Anirudha Das, Advocate*

*-versus-*

***State of Odisha*** .... ***Opposite Party***  
*Mr. M.K. Mohanty, A.S.C.*

**CORAM:  
JUSTICE CHITTARANJAN DASH**

**ORDER**  
**15.11.2022**

**Order No.**

02. 1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in anticipation of arrest for his alleged involvement in the offences U/s. 366/376/379/506/34, I.P.C. in connection with Chhendipada P.S. Case No.507 of 2021 corresponding to G.R. Case No.866 of 2021 pending in the Court of learned J.M.F.C., Chhendipada.
3. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, I am not inclined to grant anticipatory bail to the Petitioner. However, the Petitioner is at liberty to surrender before the learned J.M.F.C., Chhendipada in the aforesaid G.R. Case in the first hour within three weeks hence and move for bail. In such event, the learned Magistrate shall consider the bail application of the Petitioner in the first hour of the day itself, 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 without being influenced by any observation made herein by this Court or even presuming it to be a direction in affirmative.

4. 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 itself.

5. Learned court below shall also verify the aspect of criminal antecedents of the petitioners similar nature or otherwise of the Petitioner, while considering the bail application.

6. The ABLAPL is disposed of accordingly.

( *Chittaranjan Dash* )  
*Judge*