

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14136 of 2022

Hrudananda Behera

....

Petitioner

Mr. Srikanta Mahunta, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

04.11.2022

Order No.

01.

1. Heard learned counsel for the Petitioner and the State.

2. By means of this application under Section 438 Cr.P.C., the Petitioner seeks bail in anticipation of his arrest for alleged involvement in the offence under Sections 341/323/325/307/294/506/34 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 Petitioner is at liberty to surrender before the learned S.D.J.M., Dhenkanal in G.R. Case No.1427 of 2022 corresponding to Sadar P.S. Case No.547 of 2022 within three weeks' from today and moves for bail. In such event the learned

court 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 its own merit.

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

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. 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.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge