

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14171 of 2022

Ajaya Kumar Routaray

....

Petitioner

Mr. Ajit Kumar Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

23.11.2022

Order No.

- 02.
1. Heard the learned counsel for the Petitioner and the State.
 2. By means of this application U/s.438 Cr.P.C., the Petitioner seeks grant of bail in apprehension of arrest for his alleged involvement in the offence U/s. 379/411/34, I.P.C. and Section 51 of the OMMC Rules, 2016, in connection with Begunia P.S. Case No.257 of 2022 corresponding to G.R. Case No.1667 of 2022 pending in the court of learned S.D.J.M., Khordha.
 3. Learned counsel for the Petitioner fairly submits that the Petitioner is having one more criminal antecedent to his credit.
 4. Considering the facts and submissions, seriousness of the allegation, gravity of the offence and the facts of the case, while this court is not inclined to grant anticipatory bail to the Petitioner the Petitioner, if so chooses, may surrender before the learned S.D.J.M., Khordha in the aforesaid G.R. Case during the first hour within three

weeks from today and may 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 presuming it to be a direction in affirmative.

5. 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.

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

7. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge