

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14398 of 2022

***Ajabul Khan @ Minju Khan @
Minju Miyan*** ***Petitioner***

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
18.11.2022**

Order No.

01.

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.51 of the Wild Life Protection Act.
3. Learned counsel for the Petitioner submits that the co-accused has since been released on bail in the meantime.
4. Keeping in view the submission of the parties, the nature of allegations, 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 J.M.F.C., Baramba in 2(b) C.C. Case No.6 of 2022 corresponding to U.D. Case No.8-B of 2022-23 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.

5. In case of rejection of the bail application by the learned court, the Petitioner may moves 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. 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

KC Bisoi