

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14548 of 2022

Jagajiban Dhal @ Nanda ***Petitioner***
Mr. Jnyanananda Panda, Advocate

-versus-

Union of India ***Opp. Party***
Mr. G.L. Mohanty, Sr. Panel counsel for Union of India

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
08.12.2022**

03.

1. Heard learned counsel for the Petitioner and the Union of India.
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.3(a) of the RP (UP) Act.
3. Learned counsel for the Union of India submits that apparent no criminal antecedent stands to the credit of the present Petitioner who has been arrayed on the statement of the co-accused.
4. Keeping in view the submission of the parties, the nature of allegation and the gravity of offence, while this Court is not inclined to grant anticipatory bail, the Petitioner is at liberty to surrender before the learned J.M.F.C., M. Rampur in connection with 2(c) CC No.07 of 2022 within three weeks' hence 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 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 material available on record.

6. 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. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi