

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.15098 OF 2021

Hari Krushna Choudhury @ Hari* *Petitioner
Krushna Panda

Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha* *Opposite Party
Mr. S. K. Nayak, AGA,

CORAM:
MR. JUSTICE D.DASH

ORDER
21.02.2022

Order No.

01. 1. This matter is taken up by video conferencing mode.
2. This is the second journey of the Petitioner in filing this application under section 438 of the Cr.P.C. for his grant of bail in the event of his arrest in connection with Arjipalli Marine P.S. Case No. 16 of 2021 corresponding to G.R. Case No.328 of 2021 on the file of learned S.D.J.M., Chatrapur in the running for alleged commission of offence under Section-395 of the IPC, for his release on bail in the above mentioned case.
3. Heard learned counsel for the Petitioner and learned Counsel for the State.
4. Considering the submissions and on going through the materials on record as also other surrounding circumstances; further keeping in view earlier order dated 07.06.2021 passed in ABLAPL No.6726 of 2021 while being not inclined to

reconsider the prayer for grant of anticipatory bail to the Petitioner, it is observed that in the event the Petitioner surrenders before the Court in seisin of the case in connection with above mentioned case and moves for his release on bail, the same shall be considered on its own merit; further taking into account the factum of release of co-accused person(s) on bail, if similarly situated with the Petitioner on the ground of parity, as per law and disposed of early in accordance with law so as to enable the Petitioner to approach the next higher forum early in case necessity so arises.

The case record be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

(D. Dash),
Judge.

Narayan