

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15117 of 2021

Sunil Nanda & Another

.... ***Petitioners***
Mr.J. Behera, Advocate

-versus-

State of Odisha

.... ***Opposite Parties***
Mr. S.K. Nayak, AGA

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
20.09.2022**

Order No.

02. 1. This matter is taken up through hybrid arrangement (hybrid/physical) mode.
2. The Petitioners having been implicated in Tusara P.S. Case No.163 of 2017 corresponding to G.R. Case No.600 of 2017 on the file of learned S.D.J.M., Bolangir for alleged commission of offence under sections 365/323/506/34, I.P.C. have filed this application under section 438 of the Cr.P.C. for their release on bail in the event of their arrest in the said case.
3. Heard learned counsel for the Petitioners and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances, while being not inclined to

consider the prayer for grant of anticipatory bail to the Petitioners; this application stands disposed of with an observation that in the event the Petitioners surrender before the court in seisin of the case and move for their release on bail, the same shall be considered on its own merit and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioners in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case diary be made available at the cost of the Petitioners.

5. The ABLAPL is accordingly disposed of. Interim order passed on 13.12.2021 stands vacated.
6. Issue urgent certified copy as per rules.

(D.Dash)
Judge