

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15114 of 2022

Jagabandhu Nayak and others

.... ***Petitioners***
Mr. P.C. Jena, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
14.12.2022**

01. 1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s.341/294/323/506/34 IPC.
3. Having regard to the nature of allegations as emerged from the material on record, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, the Petitioners are at liberty to surrender before the learned J.M.F.C., Bhapur in Fategarh P.S. Case No.219 of 2022 corresponding to G.R. Case No.210 of 2022 within three weeks' hence and move for bail. In such event the learned court in seisin over the matter shall consider the bail application of the Petitioners in the first hour of the day, strictly on the basis of the materials available on record in its own merit.

4. In case of rejection of the bail application by the learned court, the Petitioners 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 Petitioners on the same day, if there be no legal impediment on its own merit strictly on the basis of the material available on record. Case diary be made available to the learned courts below as soon as possible to facilitate disposal of the bail application of the Petitioners on the same day. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi

