

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15621 of 2021

1. Adikanda Parida
2. Prabhat Rout @ Prabhat
Kumar Rout
3. Happy Nayak @
Narendra Nayak
4. Raju Nayak @ Raj
Kishore Nayak
5. Narahari Biswal **Petitioners**

Mr.R.N. Parija, Advocate

-versus-
State of Odisha **Opp. Party**

Mr. J.P. Patra
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

11.01.2022

02. This matter is taken up through Video Conferencing Mode.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Chandbali P.S. Case No.325 of 2021 corresponding to G.R. Case No.781 of 2021 pending in the court of learned J.M.F.C., Chandbali for alleged

commission of offences under sections 341/323/294/307/427/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that two of the co-accused persons who are petitioners nos. 2 and 3 after their arrest have already been released on bail by the learned Court below.

Learned counsel for the State on instruction submitted that the injured Somnath Nayak has sustained grievous injuries.

In view of such submission made by the learned counsel for the State, while not inclining to grant anticipatory bail to the petitioners nos.1, 4 and 5 namely, Adikanda Parida, Raju Nayak @ Raj Kishore Nayak and Narahari Biswal, I direct that in the event the petitioners surrender before the learned Court below within a period of four weeks from today and move for bail, the same shall be considered in accordance with law expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out

thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

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(S.K. Sahoo)
Judge

