

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15638 of 2021

Khirod Kumar Sahoo* *Petitioner

Mr. M.K. Mallick, *Advocate*

-versus-

State of Odisha* *Opp. Party

Mr. J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

04.01.2022

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical 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 petitioner in connection with Raghunathpur P.S. Case No.75 of 2011 corresponding to G.R. Case No.766 of 2011 pending in the court of learned S.D.J.M., Jagatsinghpur for alleged commission of offences under sections 328/379/34 of the Indian Penal Code.

In view of the nature of the accusation against the petitioner and since it is a case of the year 2011 and the petitioner has approached this Court after ten

years of lodging of the first information report, I am not inclined to release the petitioner on bail.

Learned counsel for the petitioner submits that similarly situated co-accused has already been released on bail by this Court and the petitioner may be permitted to surrender in the Court below and move for bail and the claim of parity may be taken into account while adjudicating the bail application.

Considering the submissions made by the learned counsel for the petitioner, it is ordered that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously and while disposing of the bail application, the learned Court below shall consider the claim of parity with the co-accused person, who is stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

