

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15669 of 2021

Maheswar Nahak* *Petitioner

Mr. S.K. Mahanty, *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 petitioner 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 Rambha P.S. Case No.103 of 2011 corresponding to G.R. Case No.316 of 2011 pending in the court of learned J.M.F.C., Khallikote for alleged commission of offences under sections 366/376/323/34 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 anticipatory bail.

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 relevancy of the acquittal of the co-accused person and the statement of the victim shall be taken into account.

The ABLAPL stands disposed of.

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

संक्षेपित न्यायो (**S.K. Sahoo**)
Judge

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