

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15470 of 2022

***Narendra Nath @ Happy and
others*** ***Petitioners***

Mr. Samarendra Mohanty, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
19.12.2022**

Order No.

01.

1. Heard learned counsel for the Petitioner 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. This Court does not encourage offences U/s.506 IPC to be under anticipatory bail with persons having no credence in the society. Therefore, while not inclined to grant anticipatory bail, allowing liberty to surrender before the learned S.D.J.M., Jagatsinghpur in Jagatsinghpur P.S. Case No.765 of 2022 corresponding to G.R. Case No.1748 of 2022 within three weeks' hence and move for bail. In such event the learned court in seisin over the matter may 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 independently.

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 may consider and dispose of the bail application of the Petitioners on the same day, if there be no other legal impediment on its own merit strictly on the basis of the material available on record. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi

