

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15879 of 2021

- 1. Ashish Parida**
- 2. Bishwajit Behera**
- 3. Rajat Kumar Barik**
- 4. Himanshu Mohanty**
- 5. Hirendra Kumar
Panigrahi**
- 6. Sk. Meheraj**
- 7. Sk. Nasim**

.... **Petitioners**

Mr.A.Dash, Advocate

-versus-

State of Odisha

.... **Opp. Party**

*Mr.A.K. Beura,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

ORDER

07.04.2022

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Udala P.S. Case No. 375 of 2021 corresponding to C.T. Case No. 1074 of 2021 pending in the Court of learned S.D.J.M., Udala for the commission of the alleged offences punishable under sections 420, 120-B/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the co-accused Himansu Mohanty has already been released on bail by this Court and since the offences are triable by Magistrate, their anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties and the nature of accusation, while not inclining to grant anticipatory bail to the petitioners, liberty is granted to them to surrender and move for bail in the Court below within a period of four weeks from today in the event of which, the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused Himansu Mohanty, who is stated to have been released on bail, shall be taken into account. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge