

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15976 of 2021

- 1. Biplab Baroi**
- 2. Sanaj Mandal**
- 3. Rintu Sikdar**
- 4. Dipankar Haldar**
- 5. Bishnupad Ray**
- 6. Priya Ranjan Biswas**
- 7. Pranab Gharami**
- 8. Nityananda Saha**
- 9. Uttam Kumar Ray.**

.... **Petitioners**

Mr.U. Barik, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr.A.K. Beura
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

12.01.2022

01. 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 Raighar P.S. Case No.212 of 2021

corresponding to G.R. Case No.275 of 2021 pending in the court of learned N.G.N –cum- J.M.F.C., Raigarh for alleged commission of offences under sections 341/323/354/509/506/34 of the Indian Penal Code read with section 66-E of the I.T. Act.

Learned counsel for the petitioners submits that some of the co-accused persons have already been released on bail. He further submitted that the petitioners 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.

Learned counsel for the State has objection to such prayer.

In view of the available on record and the manner in which the young girl has been humiliated, while not inclining to grant anticipatory bail to the petitioners, 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, who is stated to have been released on bail, in accordance with law. The case records shall be made available to the Court

concerned. 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

