

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15985 of 2021

Mohan Pidika @ Pidika **Petitioner**
Mohan

Mr. S.K. Rout, Advocate

-versus-

State of Odisha **Opp. Party**

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

12.01.2022

Order No.

01. This matter is taken up through Video Conferencing 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 Narayanpatna P.S. Case No.76 of 2005 corresponding to G.R. Case No.172 of 2005 pending in the court of learned J.M.F.C., Laxmipur for alleged commission of offences under sections 341/324/326 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 2005 and the petitioner has approached this Court after

sixteen 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.

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.

(S.K. Sahoo)
Judge

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