

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16065 of 2021

**1. Jhunu Mohapatra
2. Gadadhar Mohapatra**

.... Petitioners

Mr. S.K. Samantaray, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. D.K. Pani,
Addl. Standing Counsel*

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

**ORDER
31.03.2022**

I.A. No.207 of 2022

Order No.

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

This is an application for modification of the order dated 18.01.2022.

Considering the submission made by the learned counsel for the petitioners and taking into account the grounds taken in the interim application, I am inclined to extend the surrender period till 18.04.2022.

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

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioners, I direct that in the event the petitioners surrender and move 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 Courts below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail in accordance with law. The case records shall be made available to the Court concerned. Since the Sessions Court is at Bhubaneswar, after rejection of the bail application by the learned J.M.F.C., Jatni, the case record shall be immediately transmitted through Special messenger to the Court of learned Sessions Judge, Bhubaneswar at the cost of the petitioner in order to enable him to move the bail application expeditiously in the higher Court.

Accordingly, the I.A. is disposed of.

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

(S.K. Sahoo)
Judge

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