

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16099 of 2021

1. Raju Lakra **Petitioners**
2. Sanjay Lakra @ Sukra

Mr. R.N. Parija, Advocate

-versus-

State of Odisha **Opp. Party**

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.555 of 2021 arising out of Kutra P.S. Case No.109 of 2021 pending in the Court of learned J.M.F.C., Rajgangpur for alleged commission of offences under section 395 of the Indian Penal Code read with sections 25 and 27 of the Arms Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted

that the first information report was lodged against unknown persons and during course of investigation, some of the co-accused persons were taken into custody and they have already been released on bail by the learned Additional Sessions Judge, Sundargarh. He further submitted that it is not a case of dacoity in true sense but technically the offence has been added while registering the first information report and the petitioners' implication in the case is based on the confessional statement of co-accused before police and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is ordered that in the event the petitioners surrender in the Court below and move for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly 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

RKM

