

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16104 of 2021

Kalandi Charan Sahoo* *Petitioner

Mr. D.K. Sahoo, 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 petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.1414 of 2021 arising out of Kendrapara Town P.S. Case No.95 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections 457/380 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the first information report was lodged against unknown persons and during course of investigation, on the basis of confessional statement of co-accused, the petitioner has been arrayed as an accused and the accusation against the

petitioner may at best constitute the ingredients of offence under section 411 of the Indian Penal Code and some of the co-accused persons have already been released on bail and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand, submitted that apart from this case, there are seven criminal antecedents against the petitioner.

In view of the criminal antecedents, while not inclining to grant anticipatory bail to the petitioner, it is ordered that in the event the petitioner surrenders in the Court below and moves 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