

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16134 of 2021

Hrusikesh Swain @ Hrushikesha ***Petitioner***
Swain @ Bapuni

Mr.B.R. Mohanty, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. S.Jena, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
27.09.2022

Order No.

02. 1. This matter is taken up through hybrid arrangement (hybrid/physical) mode.
2. The petitioner by carrying this application under section 438, Cr.P.C. has prayed for his release on bail in the event of his arrest in connection with Dhamnagar P.S. Case No.53 of 2016 corresponding to G.R. Case No.113 of 2016 pending in the court of the learned J.M.F.C., Tigiria for alleged commission of offence under sections 147/ 148/ 341/ 323/ 294/ 353/ 336/ 307/427/506/149, I.P.C. read with section 25 of the Arms Act and section 4/5 of the E.S. Act and section 7 CrL. L.A. Act.
3. Heard learned counsel for the Petitioner and learned counsel for the State.

4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances, while being not inclined to consider the prayer for grant of anticipatory bail to the Petitioner; this application stands disposed of with an observation that in the event the Petitioner surrenders before the court in seisin of the case within a period of four weeks and move for his release on bail, the same shall be considered on its own merit further taking into account the factum of release of co-accused person/s on bail and if similarly situated with the Petitioner on the ground of parity and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioner in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case record be transmitted at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.

6. Issue urgent certified copy as per rules.

(D.Dash)
Judge