

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16195 of 2021

Akshaya Prusty @ Bapun Petitioner
@ Sahadev Prusty

Mr. P.K. Barik, Advocate

-versus-

State of Odisha Opp. Party

Smt. Susamarani Sahoo
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

01.02.2022

Order No.

02.

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 2(a) C.C. Case No.151 of 2021 arising out of Excise Case P.R. No.23 of 2021-22 of O.I.C. of Excise District Mobile Charge, Bhadrak pending in the Court of learned S.D.J.M., Bhadrak for alleged commission of offence under section 52(a) of the Odisha Excise Act.

Perused the F.I.R.

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

In view of such submission, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, 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 persons, who are stated to have been released on bail, 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.

संस्थानिक न्यायो (**S.K. Sahoo**)
Judge

RKM