

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16199 of 2021

Fakir Pradhan

....

Petitioner

Mr. Srinivas Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.A. Das,

Addl. Government Advocate

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.170 of 2021 arising out of Nuagaon P.S. Case No.40 of 2021 pending in the Court of learned S.D.J.M., Nayagarh for alleged commission of offence under section 394 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that though the F.I.R. was registered under section 394 of the Indian Penal Code but on

completion of investigation, charge sheet has been submitted under section 395 of the Indian Penal Code.

In view of the available material on record, while not inclining to grant anticipatory bail to the petitioner, it is observed 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

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