

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16251 of 2021

1. Prasanna Naik **Petitioners**
2. Sarata Naik

Mr. A.K. Das-1, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. D.K. Pani,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

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.317 of 2021 arising out of Daspalla P.S. Case No.195 of 2021 pending in the Court of learned J.M.F.C., Daspalla for alleged commission of offence under section 302/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that initially the case was registered under section

302/34 of the Indian Penal Code but it was found to be a case under section 304/34 of the Indian Penal Code against Biswambar Naik and the petitioners and he is not aware as to what happened to the bail application of Biswambar Naik.

Be that as it may, in view of the available materials on record, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move 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. 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