

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16299 of 2021

1. Md. Abdul Hai

2. Mahammed Yakub @ Sk.

Yakub @ Manga

....

Petitioners

Mr. B. Jali, Advocate

-versus-

State of Odisha

....

Opp. Party

Ms. Susamarani Sahoo,
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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Khurda P.S. Case No.443 of 2014 corresponding to G.R. Case No.1400 of 2014 pending in the court of learned S.D.J.M., Khurda for alleged commission of offences under sections 143/431/283/353/294/506/149 of the

Indian Penal Code.

In view of the nature and gravity of the accusation against the petitioners and since it is a case of the year 2014 and the charge sheet has been submitted in the year 2020, I am not inclined to release the petitioners on anticipatory bail.

Learned counsel for the petitioners submits that some of the co-accused persons have already been released on bail. He further submitted that the petitioners may be permitted to surrender in the Court below and move for bail and the claim of parity may be taken into account while adjudicating the bail application.

Considering the submissions made by the learned counsel for the petitioners, it is ordered that in the event the petitioners surrender and move for regular bail before the learned Court below, the same shall be considered in accordance with law expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused persons, who are stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands 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

P

