

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16328 of 2021

- 1. Chandan Nayak @ Kalia**
- 2. Pradeep Das @ Budhia**
- 3. Susanta Kumar Das @
Bapunu**
- 4. Alok Das @ Kalia**
- 5. Nilakantha Das @ Tika**
- 6. Subrata Das @ Kuna Das**
- 7. Basudev Sethi @ Basua**

Petitioners

Mr. P.K. Jena, Advocate

-versus-

State of Odisha

Opp. Party

*Mr. J.P. Patra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
12.05.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Basta P.S.Case No. 332 of 2021 corresponding to C.T. Case No. 738 of 2021 pending in the Court of learned J.M.F.C., Basta for commission of alleged offence under section 395 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioners submitted one of the co-accused has already been released on bail.

Learned counsel for the State submits that though the case was initially registered under section 392 of the Indian Penal Code, but it has turned to one under section 395 of the Indian Penal Code.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioners, liberty is granted to them to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused, who is stated to have been released on bail, shall be taken into account in accordance with law. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge