

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16472 of 2021

Lambodar Mohapatra* *Petitioner

Mr. B.C. Ghadei, *Advocate*

-versus-

State of Odisha* *Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

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 C.T. Case No.546 of 2021 arising out of Khantapada P.S. Case No.179 of 2021 pending in the Court of learned S.D.J.M., Baleswar for alleged commission of offence under section 302/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that during course of investigation of the case, some of the co-accused persons were taken into custody and they have already been released on bail and the petitioner was not named in the first information report as an accused and

subsequently he has been entangled in the case and he may be permitted to surrender in the Court below and move an application for bail and the claim of parity may be taken into account.

Learned counsel for the State has no objection.

It is a case under section 302 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 petitioner, it is ordered 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.

(S.K. Sahoo)
Judge