

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16562 of 2021

Subrat Das

....

Petitioner

Mr.S. Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.J.P. Patra,

Addl. Standing Counsel

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

**ORDER
24.01.2022**

Order No.

01. This matter is taken up through video conferencing.
Heard the learned counsel for the petitioner and learned counsel for the State.
This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Binika P.S. Case No. 203 of 2021 corresponding to G.R. Case No. 192 of 2021 pending in the Court of learned J.M.F.C., Binika for the commission of the alleged offences punishable under section 394 of the Indian Penal Code and section 25 of the Arms Act.
Perused the first information report annexed to the anticipatory bail application.
Learned counsel for the petitioner submits that even though the F.I.R. was lodged against unknown persons, but during the course of investigation the co-accused persons were taken into custody and on the basis of their confessional

statement before the police, the petitioner has been arrayed as an accused and the said co-accused persons have already been released on bail and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State submitted that the petitioner has got two criminal antecedents.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to the petitioner to surrender and move for bail in the Court below within a period of four weeks, 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 persons, who are stated to have been released on bail shall be taken into account. The case records shall be made available to the Courts concerned for disposal of the bail application.

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