

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16600 of 2021

1. Tila Naik
2. Jitendra Naik
3. Habal Naik
4. Raidhar Naik
5. Bhima Bag
6. Upendra Naik
7. Kabi Naik
8. Labi Naik
9. Bhubani Naik
10. Bhima Bag
11. Piranti Naik
12. Satapathy Bag
13. Kabiraj Naik
14. Santosh Naik
15. Jagannath Naik
16. Dori Naik
17. Prasanta Naik
18. Adisan Naik
19. Sankari Naik
20. Somanath Bag

Petitioners

Mr.P.K. Nayak, Advocate

-versus-

State of Odisha

Opp. Party

Mr. A. Das

Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

24.01.2022

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 Kasipur P.S. Case No.119 of 2021 corresponding to G.R. Case No.448 of 2021 pending in the Court of J.M.F.C., Kasipur for alleged commission of offences under sections 147/148/448/384/294/336/337/431/307/149 of the Indian Penal Code read with section 7 of the Criminal Law (2nd Amendment) Act, 1983.

Learned counsel for the petitioners submitted that some of the co-accused have already been taken into custody and they have been released on bail by the learned Sessions Judge, Rayagada and the injuries sustained by the injured persons are simple in nature and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State on the other hand, opposed the prayer for bail and submitted that it is an attack on public servants who were on the duty.

In view of such submission, while not inclining to grant anticipatory bail to the petitioners, it is directed that in the event the petitioners surrender in the

Court below and move for bail within a period of four weeks from today, the same shall be considered and disposed of by the Courts below expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused, who are stated to have been released on bail, in accordance with law. 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.

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