

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16626 of 2021

1. Mamata Behera **Petitioners**
2. Sarita Behera

Mr. A. Tripathy, *Advocate*

-versus-

State of Odisha **Opp. Party**

Smt. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

08.02.2022

I.A. No.83 of 2022

Order No.

02. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

This is an application for modification of the order dated 24.01.2022.

Learned counsel for the petitioners submitted that some of the co-accused persons have been released on bail and therefore, while adjudicating the bail application, claim of parity may be taken into account by the Courts below so also the proviso to section 437(1) Cr.P.C. since both the petitioners are ladies.

Learned counsel for the State has no objection.

Considering the submissions made by the

learned counsel for the respective parties, the order dated 24.01.2022 is modified to the extent that the Courts below while considering the bail application shall take into account the claim of parity with the co-accused persons, who are stated to have been released on bail, so also proviso to section 437(1) Cr.P.C. and the time of surrender as per the order dated 24.01.2022 is extended for a further period of four weeks. The rest part of the order dated 24.01.2022 remains unaltered.

The I.A. is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

