

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16162 of 2022

Srinibash Behera

Petitioner
....
Mr. K.K. Rout, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
22.12.2022**

01. 1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s.294/506 IPC.
3. This Court does not encourage offences U/s.506 IPC to be under anticipatory bail with persons having no credence in the society. Therefore, while not inclined to grant anticipatory bail, allowing liberty to surrender before the learned J.M.F.C.(R), Cuttack in Sadar P.S. Case No.564 of 2022 corresponding to G.R. Case No.3352 of 2022 within three weeks' hence and moves for bail, the learned court in seisin over the matter shall consider the bail application of the Petitioner in the first hour of the day, strictly on the basis of the materials available on record in its own merit.

4. In case of rejection of the bail application by the learned court, the Petitioner may move for bail before the higher forum in the second hour of the same day. In that event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day, if there be no legal impediment on its own merit strictly on the basis of the material available on record. Case diary be made available to the learned courts below as soon as possible to facilitate disposal of the bail application of the Petitioner on the same day. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi

