

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16639 of 2021

Sajani Naik

.....

Petitioner

Ms. A. Sahoo, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. A.K. Mishara, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

21.10.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. This application has been filed under Section 438 Cr.P.C. for release of the Petitioner on anticipatory bail.
3. The petitioner has been implicated in Khandapada P.S. Case No. 108 of 2020 corresponding to G.R. Case No. 104 of 2020 on the file of learned J.M.F.C., Khandapada for alleged commission of offence under Sections 147, 148, 294, 341, 323, 325, 326, 354-B, 379, 427, 506, 307 and 149 IPC.
4. Learned counsel for the Petitioner contended that other co-accused persons have already been enlarged on bail.
5. Considering the nature of allegation, since twice the anticipatory bail application of the petitioner has been rejected, this Court is not inclined to release the petitioner on anticipatory bail. However, in the event the petitioner surrenders before the court below and moves an application for bail in connection with the aforementioned case, the same shall be considered and disposed of by the court below in accordance with law. It is made clear that

while considering the application for bail of the petitioner, the court below shall take into consideration the fact that other co-accused persons have already been released on bail.

6. With the above observation/direction the ABLAPL stands disposed of.

(DR. B.R. SARANGI)
JUDGE

Arun

