

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16206 of 2022

Pramod Behera

.... ***Petitioner***
Mr.S. Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
23.12.2022**

Order No.

02. 1. This matter is taken up through hybrid arrangement (hybrid/physical) mode.
2. The petitioner by carrying this application under section 438, Cr.P.C. has prayed for his release on bail in the event of his arrest in connection with Chandraskeharpur P.S. Case No.492 of 2022 corresponding to C.T. Case No.7559 of 2022 pending in the court of the learned J.M.F.C.-II, Bhubaneswar for alleged commission of offence under sections 436/34, I.P.C.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances, while being not inclined to

consider the prayer for grant of anticipatory bail to the Petitioner; this application stands disposed of with an observation that in the event the Petitioner surrenders before the court in seisin of the case within a period of four weeks and move for his release on bail, the same shall be considered on its own merit further taking into account the factum of release of co-accused person/s on bail and if similarly situated with the Petitioner on the ground of parity and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioner in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case record be transmitted at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(D.Dash)
Judge