

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16784 of 2021

Rama Chandra Mallick* *Petitioner

Mr. S.K. Bhanjadeo, *Advocate*

-versus-

State of Odisha* *Opp. Party

Smt. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

27.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.729 of 2021 arising out of Khallikote P.S. Case No.338 of 2021 pending in the Court of learned J.M.F.C., Khallikote for alleged commission of offences under sections 4 and 5 of the Explosive Substances Act, 1908.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the first information report was lodged against unknown person and during course of investigation, some of the co-accused persons were taken into custody and they have already been released on bail and the petitioner's

implication in the case is based on the confessional statement of co-accused before police and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is ordered that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused persons, who are stated to have been released on bail, shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly 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.

(S.K. Sahoo)
Judge