

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16788 of 2021

Rama Meher

....

Petitioner

Mr.S.K.Dwibedi, Advocate

-versus-

State of Odisha & another *....*

Opp. Parties

Mrs. Susama Rani Sahoo

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
27.01.2022**

Order No.

01. This matter is taken up through video conferencing.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Khaprakhol P.S. Case No. 12 of 2012 corresponding to G.R. Case No. 33 of 2012 pending in the Court of learned S.D.J.M., Patnagarh in which charge sheet has been submitted for the commission of the alleged offences punishable under sections 147, 148, 294, 454, 436, 427, 354, 395/149 of the Indian Penal Code and sections 3(1)(x)(xi) and 3(2)(iii)(iv)(v) of the S.C. & S.T. (PoA) Act, 1989.

Perused the first information report annexed to the anticipatory bail application and the copy of the charge sheet.

Learned counsel for the petitioner submitted that the petitioner is an old man aged about seventy nine years and some of the co-accused persons, who were taken into custody, have been released on bail. It is further submitted that the ingredients of the offence under section 3 of the S.C. & S.T. (PoA) Act are not attracted and therefore, section 18 of the said Act is not a bar in entertaining this application and that relating to the self-same occurrence, different persons have lodged number of F.I.Rs. and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Since it is a case of the year 2012 and in view of 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 and moves for bail in the Court below within a period of four weeks from today, the same shall be disposed of by the learned Court in seisin over the matter in accordance with law expeditiously and the claim of parity with the co-accused persons, who are stated to have been released on bail shall be taken into account. The case records shall be made

available to the Court concerned for disposal of the bail application.

The ABLAPL stands 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

PKSahoo

