

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.16804 of 2021**

***Kalyan Naik***

*....*

***Petitioner***

*Mr. M.K. Panda, Advocate*

*-versus-*

***State of Odisha***

*....*

***Opp. Party***

*Mr. Arupananda Das,*

*Addl. Government Advocate*

**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.1066 of 2021 arising out of Banarpal P.S. Case No.351 of 2021 pending in the Court of learned S.D.J.M., Banarpal for alleged commission of offences under sections 452/384/294/323/324/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that during course of investigation, one of the co-accused was taken into custody and he has already been released on bail and the petitioner may be permitted to surrender in

the learned Court below and move for bail and claim of parity may be taken into account.

Learned counsel for the State has no objection.

Considering the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed 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 person, who is 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 7<sup>th</sup> January 2022.

**( S.K. Sahoo )**  
**Judge**

RKM