

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16821 of 2021

Ganesh Behera

....

Petitioner

Mr.P.K. Parida, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.A.K. Beura,

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 Pipili P.S. Case No. 100 of 2019 corresponding to G.R. Case No.181 of 2019 pending in the Court of learned J.M.F.C., Pipili for the commission of the alleged offences punishable under sections 307, 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in view of the post mortem report findings, the case under section 302 of the Indian Penal Code is not made out and a false case has been foisted against the petitioner.

Perused the first information report annexed to the anticipatory bail application.

In view of the available materials on record, 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, the same shall be disposed of expeditiously by the learned Courts below in accordance with law. 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

