

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16877 of 2021

1. Md. Mousim **Petitioners**
2. Sk. Wasim
3. Md. Sammi
4. Sk. Jasim
5. Sk. Hasim

Mr. B.K. Ragada, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. D.K. Pani,
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 petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.4893 of 2021 arising out of Dhanupali P.S. Case No.503 of 2021 pending in the Court of learned S.D.J.M., Sambalpur for alleged commission of offences under sections 147/148/294/354/323/325/307/379/149 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that

it is a case and counter case and some of the co-accused persons were taken into custody and they have been enlarged on bail and therefore, the anticipatory bail application of the petitioners may be favourably considered.

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

Considering the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move 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

RKM