IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.10189 of 2023

Pradip Kumar Behera **.....** ***Petitioner***

Represented By Adv. -
Debasnan Das

-versus-

State Of Odisha **.....** ***Opposite Parties***

Represented By Adv. –
Mr. P.C. Das, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
02.07.2024

Order No.

02. 1. This matter is taken up through Hybrid mode.

2. Heard learned counsel for the Parties and perused the records.

3. The Petitioner apprehending his arrest in Baramba P.S. Case No.126 of 2023, corresponding to G.R. Case No.162 of 2023, pending in the Court of learned J.M.F.C., Baramba, registered for alleged commission of offences punishable under Sections 452, 294, 506, 323, 354-B, 376 of IPC, has filed this petitioner for his release on pre-arrest bail.

4. Considering the facts of the case, this Court is not inclined to grant pre-arrest bail to the Petitioner.

5. However, on the submission of the leaned counsel, the Petitioner is given liberty to surrender before the learned J.M.F.C., Baramba, in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the

Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

6. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

7. The ABLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 05-Jul-2024 13:16:48