**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**ABLAPL No.13693 of 2024**

***Biswajit Sethi@biswajit Rashmi Ranjan Sethy*** ..... ***Petitioner***

Represented By Adv. -
Susanta Kumar Baral

*-versus-*

***1) State Of Odisha*** ..... ***Opposite Party***

2) Banalata Das

Represented By Adv. –
Mr. Samaresh Jena, ASC

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

**ORDER**
**05.12.2024**

**Order No.**

01. 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 Bonth P.S. Case No.177 of 2024, corresponding to G.R. Case No.2599 of 2024, pending in the Court of learned S.D.J.M., Bhadrak, registered for alleged commission of offences punishable under Sections 64(2) of BNS, 2023.

4. Considering the facts of the case, this Court is not inclined to grant pre-arrest bail to the Petitioner. However, on the submission of the leaned counsel, the Petitioner is given liberty to surrender before the learned S.D.J.M., Bhadrak, 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.

5. 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.

6. The ABLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per Rules.

***( Aditya Kumar 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-Dec-2024 18:21:29