



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.412 of 2025

Firoj Kumar Debata

.....

Petitioner

Represented By Adv. -
Satya Ranjan Mulia

-versus-

State Of Odisha

.....

Opposite Parties

Mr. M.R. Patra, ASC

CORAM:

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

ORDER

03.03.2025

Order No.

02.

I.A. No.417 of 2025

1. This matter is taken up through Hybrid mode.
2. Heard learned counsels for the parties.
3. Considering the submission made, the order dated 15.01.2025 passed by this Court in ABLAPL No.412 of 2025, is hereby recalled and in its place the following order is passed.
4. Accordingly, the I.A. stands disposed of.

ABLAPL No.412 of 2025

5. Heard learned counsel for the Parties and perused the records.
6. The Petitioner apprehending his arrest in Colliery P.S. Case



No.721 of 2024, corresponding to G.R. Case No.1695 of 2024, pending in the Court of learned S.D.J.M., Talcher, registered for alleged commission of offences punishable under Sections 115(2), 308(2), 296, 351(2) of BNS.

7. 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., Talcher, 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.

8. 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.

9. The ABLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge