



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.1552 of 2025

Sk.sakil Khan

.....

Petitioner

Represented By Adv. -
Ashok Kumar Jena

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. -
Mr. A.Pati, A.S.C.

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

ORDER

Order No.

25.03.2025

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for both the parties and perused the records.
3. The Petitioner is apprehending arrest for the alleged commission of offence under Sections 11(1), 11(A) of the Prevention of Cruelty to Animals Act and under Section-7 of The Orissa Prevention of Cow Slaughter Act, read with Under Section-281 and 111(2) of B.N.S. in C.T.Case No.499 of 2024 of the Court of the learned S.D.J.M., Athgarh arising out of Khuntuni Police Station Case No.161 of 2024.
4. It is stated by the learned counsel for the petitioner that one of the co-accused namely Jatin Kumar Behera @ Shreeman Jatin Kumar has been enlarged on bail by this Court in ABLAPL No.9530 of 2024 vide order dated 03.09.2024. He further contended that the present petitioner stands in a similar footing with the abovenamed accused



person.

5. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner.

6. However, on the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned S.DJ.M., Athgarh 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.

7. 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.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy of the order as per Rules.

(A.K Mohapatra)

Judge

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