



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.2351 of 2025

1) Namish Kumar Yadav

.....

Petitioners

2) Ritik Shaw

Represented By Adv. -
Dibyajyoti Sahoo

-versus-

State Of Odisha

.....

Opposite Parties

Smt. Siva Mohanty,
ASC

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

ORDER
27.03.2025

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 Petitioners apprehending their arrest in Brajrajnagar P.S. Case No.246 of 2024, corresponding to C.T. Case No.944 of 2024, pending in the Court of learned J.M.F.C.-1 (Cog. Taking), Jharsuguda, registered for alleged commission of offences punishable under Sections 310(4), 310(5) of BNS read with Sections 25(1)(a), 25(6), 35 of Arms Act.
 4. It is stated by learned counsel for the Petitioners that the co-accused person has already been released on bail by the learned trial Court pursuant to the order passed by this Court on 12.11.2024 in ABLAPL No.12415 of 2024.
 5. Considering the facts of the case, this Court is not inclined to



grant pre-arrest bail to the Petitioners. However, on the submission of the learned counsel, the Petitioners are given liberty to surrender before the learned J.M.F.C.-1 (Cog. Taking), Jharsuguda, 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 their 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 Petitioners 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 Petitioners 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 Petitioners, if applied for.

7. The ABLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout