

03. 13.12.2018

Heard.

This is an application U/S. 438 Cr. P.C.

Taking into consideration the facts and submissions, the ABLAPL is disposed of with the observation that, the petitioner, if so advised, may surrender before the learned S.D.J.M., Bolangir, in connection with G.R. Case No.176 of 2018 corresponding to Tusura P.S. Case No.16 of 2018 within fifteen (15) days from today. In the event of his surrender and motion for bail, his application for bail shall be disposed of by the learned S.D.J.M., Bolangir, on merit in accordance with law in the first hour. In the event of rejection of prayer for bail, the petitioner is at liberty to move the higher forum in the second hour on the same day. If such application is filed by the petitioner in the higher forum on the same day, the same shall be disposed on the same day in accordance with law. In that event, the Case Diary be made available to the courts concerned to facilitate disposal of the bail application of the petitioner and the learned S.D.J.M., Bolangir, is directed to transmit the case record of the petitioner to the higher forum in the second hour in the event of rejection of the bail application by him.

Ground of parity, if any, may be considered by the learned court below on the same being canvassed by learned counsel for the petitioner at the time of consideration of the bail application.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted as per rules.

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***C.R. Dash, J.***

***Subha***

