

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4076 of 2021

Banshidhar Naik

....

Petitioner

Mr.Anirudha Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

23.03.2022

Order No.

03.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Colliery P.S. Case No.111 of 2021 corresponding to G.R. Case No.527 of 2021 pending in the court of learned S.D.J.M., Talcher for alleged commission of offence under section 395 of the Indian Penal Code.

Considering the submission made by the learned counsel for the State that on completion of

investigation, charge sheet has been submitted under section 395 of the Indian Penal Code and that there are criminal antecedents against the petitioner.

In view of the nature of accusation, while not inclining to release the petitioner on anticipatory bail, it is ordered that in the event the petitioner surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be considered in accordance with law expeditiously and while disposing of the bail application, the learned Courts below shall consider the claim of parity with the co-accused person, who is stated to have been released on bail. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of. ★

The interim order dated 12.04.2021 stands vacated.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo