



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10803 of 2024

Ramachandra Das and others

.....

Petitioners

Represented By Adv. -
S.s.ray (2)

-versus-

State Of Odisha

.....

Opposite Party

Smt. S. Nayak, ASC

CORAM:

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

ORDER

12.03.2025

Order No.

03.

I.A. No.572 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 01.10.2024 passed by this Court in ABLAPL No.10803 of 2024, is hereby recalled in respect of Petitioner No.1 and in its place the following order is passed.
4. Accordingly, the I.A. stands disposed of.

ABLAPL No.10803 of 2024

5. Heard learned counsel for the Parties and perused the records.
6. The Petitioners apprehending their arrest in Basta P.S. Case



No.170 of 2024, corresponding to G.R. Case No.486 of 2024, pending in the Court of learned J.M.F.C., Basta, registered for alleged commission of offences punishable under Sections 115(2), 118(1), 126(2), 303(2), 351(2), 3(5) of BNS.

7. Considering the facts of the case, this Court is not inclined to grant pre-arrest bail to the Petitioner No.1. However, on the submission of the leaned counsel, the Petitioner No.1 is given liberty to surrender before the learned J.M.F.C., Basta, 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 No.1 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 No.1 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 No.1, if applied for.

9. The ABLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 17-Mar-2025 11:01:22

S.K. Rout