

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.4192 OF 2023

**Chagala @ Rajesh Kumar Biswal** .... **Petitioner**  
Mr.Sanjit Mishra, Advocate

-versus-

**State of Odisha** .... **Opposite Party**  
Mr.P.K. Mohanty, ASC.

**CORAM:**  
**MR. JUSTICE D.DASH**

**ORDER**  
**08.08.2023**

**Order No.**

01. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the successive journey of the Petitioner in filing this application under Section-438 of the Cr.P.C. for his grant of bail in the event of his arrest in connection with Gadisagada P.S. Case No.66 of 2016 corresponding to G.R. Case No.3367(A) of 2016 on the file of learned J.M.F.C., Kanas for alleged commission of offence under Section-341/323/307/34 of the IPC read with section-25/27 of the Arms Act and section-3/4 of the E.S. Act, for reconsideration of the prayer for grant of anticipatory bail in the above mentioned case.
3. Heard learned Counsel for the Petitioner and learned Counsel for the State.
4. Considering the submissions and viewing the materials on record as also other surrounding circumstances, while being not inclined to reconsider the prayer for grant of anticipatory bail to the Petitioner, this application is disposed of with the observation

that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case with three weeks hence and moves for his release on bail, the same shall be considered on its own merit; further taking into account the factum of release of co-accused person(s) on bail, if similarly situated with the Petitioner on the ground of parity as per law and disposed of early in accordance with law so as to enable the Petitioner to approach the next higher forum early in case necessity so arises.

The case record be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.  
Issue urgent certified copy as per rules.

**(D. Dash),  
Judge.**

Narayan

