

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9215 of 2021

Rajesh Kumar Pradhan

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

26.08.2021

Order

No.

02.

1. This matter is taken up through hybrid mode.
2. The Petitioner apprehending his arrest in Talsari Marine P.S. Case No.53 of 2020, corresponding to C.T. Case No.683 of 2020, pending in the Court of J.M.F.C., Jaleswar, registered for alleged commission of offence punishable under Section 394 of the I.P.C., has filed this petition for his release on pre-arrest bail.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State.
4. Learned counsel for the Petitioner during course of argument submits that he does not want to press this petition for pre-arrest bail. However, it is submitted that since the Petitioner intends to surrender and move for bail before the court below, direction may be given to the court below to

dispose of the bail application of the Petitioner on the same day.

5. Considering the submission made, it is observed that if the Petitioner surrenders in the aforesaid case before the Court in seisin over the matter and makes a motion for bail, the Court in seisin over the matter shall consider and dispose of the bail application of the Petitioner on its own merit on the same day. The incriminating materials collected against the Petitioner be sent by the I.O. to the Court on the date of surrender, if the date of surrender intimated to him by the Petitioner.

6. However, the aforesaid order should not be construed as a protection from arrest till the date of surrender.

7. The ABLAPL is, accordingly, disposed of.

8. Urgent certified copy of the order be granted on proper application.

(S. Pujahari)
Judge

DA