

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.692 of 2022

Konaj Kumar Khillar

.... ***Petitioner***
Mr. R.N. Rout, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

24.08.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.1174 of 2021, arising out of Udala P.S. Case No.407 of 2021 pending in the court of learned S.D.J.M., Udala for commission of offence punishable under Section 365, I.P.C.
 5. By referring the statement of the victim recorded under Section 164, Cr.P.C., learned counsel for the petitioner submits that the victim out of her volition, she had gone to the house of her friends and thereafter, police rescued the victim and recorded her statement under Section 164, Cr.P.C. wherein she has categorically stated that she was not kidnapped by anyone and she had gone to her friend's house.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

