

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1144 of 2022

Goura @ Ganesh Das **Petitioner**

Mr. S.R. Mulia, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

08.02.2022

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.2691 of 2021 arising out of Tangi P.S. Case No.214 of 2021 pending in the Court of learned J.M.F.C.(R), Cuttack for alleged commission of offence under section 395 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner is a juvenile and he has been falsely entangled in the case and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for

anticipatory bail.

It is a case under section 395 of the Indian Penal Code and the name of the petitioner finds place in the first information report.

In that view of the matter, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. If the petitioner claims that he is a juvenile and an appropriate application is made before the concerned Court, the same shall be adjudicated in accordance with law. The case records shall be made available to the Court concerned for adjudication of the bail application.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM