

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1613 of 2022

Omprakash Tandi @ Om Tandi ***Petitioner***
Mr. B.C. Ghadei, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

28.07.2022

Order No.

- 02.
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 petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.45 of 2022, arising out of Khariar P.S. Case No.43 of 2022 pending in the court of learned J.M.F.C., Khariar for commission of offence punishable under Sections 341/294/323/364-A/363/506/34, I.P.C.
 5. It is submitted learned counsel for the petitioner that the petitioner he has been falsely implicated in this case. It is further submitted that on similar footing with the present petitioner, another co-accused, namely, Rajesh Kumar Suna @ Bata Suna has already been released on bail by this Court in ABLAPL No.1612 of 2022 vide order dated 12.05.2022. It is also submitted that the victim has

already been rescued and that the petitioner has no specific role to play in the alleged occurrence.

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 surrender 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.

