

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2187 of 2022

Sk. Allijan @ Kala **Petitioner**

Mr. M. Akram, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. S.S. Pradhan

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
16.03.2022**

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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with CDA-2 P.S. Case No. 01 of 2022 corresponding to G.R. Case No.07 of 2022 for the commission of the alleged offence punishable under section 395 of the Indian Penal Code read with sections 25 and 27 of the Arms Act.

Learned counsel for the petitioner submitted that the F.I.R. was lodged against unknown persons but in the 161 Cr.P.C. statement, the petitioner has been named which shows that the petitioner has been subsequently entangled in a fabricated case and therefore, the anticipatory bail

application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that it is case under section 395 of the Indian Penal Code and there is possibility of holding the test identification parade by the Investigating Officer.

Considering the submission made by the learned counsel for the respective parties, the nature and gravity of the accusation, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to the petitioner to surrender and move for bail in the Court below within a period of four weeks from today, in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(**S.K. Sahoo**)
Judge