

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2496 of 2022

Madhaba Acharya* *Petitioner

Mr.S.R. Rout, Advocate

-versus-

State of Odisha* *Opp. Party

Mr.P.K. Mohanty

Addl. Standing Counsel

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

**ORDER
30.03.2022**

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 Marsaghai P.S. Case No. 223 of 2016 corresponding to G.R Case No. 1151 of 2016 pending in the Court of learned S.D.J.M., Kendrapara for the commission of the alleged offences punishable under section 379 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted

that the occurrence in question took place on 21.11.2014 but the F.I.R. was lodged on 30.06.2016 more than two years after the alleged occurrence and a case under section 379 of the Indian Penal Code was registered and the petitioner came to know about his involvement in the case recently, for which he has approached this Court.

Learned counsel for the State on instruction however submitted that the petitioner's involvement found place from the CCTV footage as well as the identification of the informant looking at the photograph published in the newspaper and on completion of investigation, charge sheet has been submitted on 31.10.2018 under section 419/420 of the Indian Penal Code read with section 66C and 66D of the Information Technologies Act and the petitioner has got one criminal antecedent.

Considering the submissions made by the learned counsel for the respective parties and the nature of accusation against the petitioner, while not inclining to release the petitioner on anticipatory bail, it is observed that in the event the petitioner surrenders and moves for bail in the Court below within a period of four weeks from today, 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

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