

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3443 of 2022

Biswapati Nayak

....

Petitioner

Mr.Bharat Bhusan Routray,Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

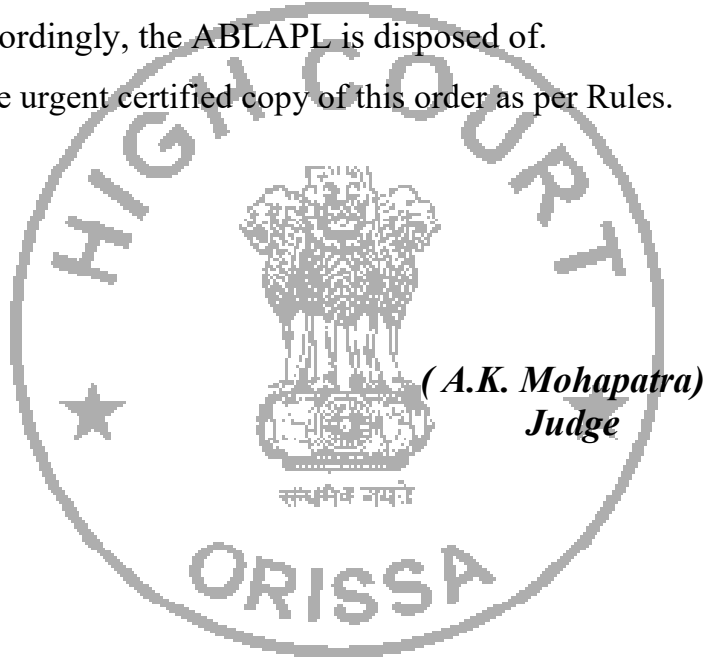
17.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the Petitioner was not named in the F.I.R. Co-accused namely Pradip Das, who is the main accused has been granted bail by this Court. It is also submitted by the learned counsel for the Petitioner that the Petitioner has been implicated in the present case on the basis of the co-accused statement. The Petitioner has no criminal antecedent.
 6. Considering the age of the Petitioner, the nature of allegations made, gravity of the 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 S.D.J.M., Talcher in G.R.Case No.177 of 2022 arising out of Colliery P.S.Case No.39 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate and subject to verification of criminal antecedent of similar nature. It is further directed that while on bail the Petitioner shall not allow his vehicle to be used in similar nature of offence. Violation of conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.
78. Issue urgent certified copy of this order as per Rules.



RKS