

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4112 of 2022

Shaikh Zakir Husen @ Bulu ***Petitioner***
Mr. Rohit Ranjan Ray, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.08.2022

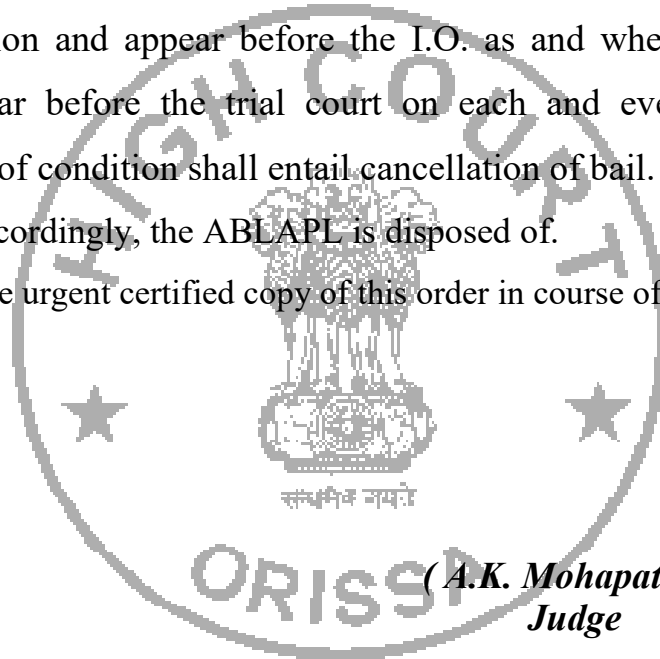
Order No.

- 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 is no way connected with the alleged offence but with an oblique motive this false case has been foisted against the Petitioner without any rhyme and reason. It is also submitted by the learned counsel for the Petitioner that the Petitioner is the owner of the Tractor and nothing has been seized from the possession of the Petitioner nor he was present at the spot.

5. Considering the nature of allegations made, gravity of the offence and the facts 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., Khordha in G.R.Case No.514 of 2022 arising out of Khordha P.S.Case No.161 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 with further condition that the Petitioner while on bail shall not indulge in similar nature of offence. The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required and also appear before the trial court on each and every date fixed. Violation of condition shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order in course of the day.



(A.K. Mohapatra)
Judge