

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4584 of 2022

Rama Chandra Samantaray ***Petitioner***
Mr. B.K. Nayak, Advocate
-versus-
State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

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 G.R. Case No.1044 of 2019, arising out of Baliana P.S. Case No.228 of 2019 pending in the court of learned J.M.F.C.(O), Bhubaneswar for commission of offence punishable under Sections 420/419/294/506/468/471/34, I.P.C.
5. It is submitted learned counsel for the petitioner that on similar footing with the present petitioner, another co-accused has already been released on bail by this Court in ABLAPL No.14943 of 2019 vide order dated 27.09.2021.
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. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has more than two criminal antecedents of similar nature. In the event it is found that the petitioner has more than two criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

