

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5418 of 2022

Jugal Kishore Behera @ Jugal ***Petitioners***
Kishor Behera and otehrs

Mr. S.K. Joshi, Advocate

-versus-

State of Odisha

Opp. Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.07.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with ICC No.10/2015/ICC No.10 of 2016 of 2018-21, pending in the court of learned J.M.F.C., Bangomunda for commission of offence punishable under Sections 395/458/34, I.P.C.
5. It is submitted learned counsel for the petitioners that the petitioners have been falsely implication in the present case. It is further submitted that on similar footing with the present petitioners, another co-accused person has already been released on bail by the learned court below. It is also submitted that the petitioners do not

have any criminal antecedents of similar nature of offence.

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 petitioners. However, it is directed that in the event the petitioners surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they 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 petitioners is subject to the condition that learned court below shall verify whether the petitioners has any criminal antecedents of similar nature. In the event it is found that the petitioners have any 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.

(A.K. Mohapatra)
Judge