

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5707 of 2022

Ashok Mahakur & another

....

Petitioners

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K. Gaya, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.06.2022

Order No.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. Learned counsel for the Petitioners submits that the Petitioners have not been named in the F.I.R. and the allegation made in the F.I.R. is with regard to theft of 45 bags of rice. It is further submitted by the learned counsel for the Petitioners that the Petitioners have been implicated on the basis of the statement made by the co-accused.
5. On the other hand, learned Additional Standing Counsel opposes for grant of anticipatory bail to the Petitioners as the same would affect the investigation of the case.
6. Considering the aforesaid fact, 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 S.D.J.M., Birmaharajpur in G.R.Case (number not furnished) arising out of Subalaya P.S.Case No.58 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as the learned magistrate may deem just and proper.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.

RKS

