

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5803 of 2022

Gopal Krushna Nayak

....

Petitioner

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K. Nayak, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.06.2022

Order No.

01.

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. Learned counsel for the petitioner submits that the informant was engaged in OPTCL construction work near village Bijapur where a mixture machine was allotted to him and on the relevant day, some unknown persons have committed theft of the said mixture machine. On the next day, F.I.R. has been lodged against the unknown persons. Hence, the present case.
5. Further, learned counsel for the petitioner submits that the F.I.R. has been lodged against unknown persons and the petitioner has not been named in the F.I.R and that he has been falsely implicated in the present case.

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 J.M.F.C., Borigumma in G.R. Case No.105 of 2022, arising out of Borigumma P.S. Case No.56 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

