

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8078 of 2022

Panchanan Khamari

....

Petitioner

Mr. Jagabandhu Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

26.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 457/380, I.P.C.
4. Although F.I.R. was lodged alleging offence under Section 457/380, I.P.C., learned counsel for the Petitioner submits that the Petitioner apprehends arrest for commission of offence under Section 411, I.P.C. It is further submitted by learned counsel for the Petitioner that the Petitioner has a Motorcycle Repairing Shop and it is alleged that he has received some parts of the motorcycle which were stolen.

5. Learned counsel for the State on the other hand submits that the Petitioner has similar nature of criminal antecedents.

6. Considering the aforesaid submissions of the parties, nature of allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Patnagarh in G.R. Case No.220 of 2021 corresponding to Larambha P.S. Case No.37 of 2021 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 in the facts and circumstances of the case. While imposing conditions, learned Magistrate shall also impose the conditions that the Petitioner, while on bail, shall not indulge himself in any other similar nature of crime, and he shall appear in person before the concerned P.S. once in every fortnight till conclusion of the investigation. Violation of any of the above conditions shall entail cancellation of the bail.

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge