

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8374 of 2022

Prafulla Kumar Bhal

....

Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER
28.07.2022

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. Govt. Advocate for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Section 379, I.P.C.
4. It is stated by learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R. He further submits that he has received instruction that the stolen vehicle, i.e. truck has been recovered from the person, who had stolen it. He submits that the Petitioner has been falsely implicated in the present case on the basis of suspicion, as he is a scrap-shop owner.
5. Considering the aforesaid submissions, 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 before the learned S.D.J.M., Dhenkanal in G.R. Case No.50 of 2022 corresponding to Dhenkanal Town P.S. Case No.17 of 2022 within a period of three weeks from today, the Petitioner 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, but subject to verification of criminal antecedents of the Petitioner. If it is found that the Petitioner is having more than two criminal antecedents of similar nature, then this bail order shall not be given effect to.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge