

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8386 of 2022

Gopal Sabar & Others ***Petitioners***
Mr. Mahendra Kumar Mohapatra, 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 Petitioners as well as learned Addl. Govt. Advocate for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 379, I.P.C. Perused the copy of the F.I.R.
4. It is submitted by learned counsel for the Petitioner that F.I.R. has been lodged against unknown persons. He further submits that the stolen articles have been recovered in the meantime. So far as the present Petitioners are concerned, it is submitted that they have been falsely entangled in this case. Learned counsel for the Petitioners further submits that the Petitioners do not have other criminal antecedents of similar nature.

5. Considering the seriousness and gravity of the offence as alleged and the facts of the case, although this Court is not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender before the learned J.M.F.C., Jaipatna in C.T. Case No.209 of 2022 corresponding to Jaipatna P.S. Case No.215 of 2022 within a period of three weeks from today, the Petitioners 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 the criminal antecedents of the Petitioners. If it is found that the Petitioners are having more than two criminal antecedents of similar nature, then this bail order shall stand automatically revoked.

6. The ABLAPL is disposed of accordingly.

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

