

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8483 of 2022

Rakesh Behera @ Bitu

.... ***Petitioner***
Mr. A.S. Paul, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Patra, A.S.C.

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 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. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.299 of 2022, arising out of Info Valley P.S. Case No.101 of 2022 pending in the court of learned J.M.F.C., Jatni for commission of offence punishable under Sections 341/323/294/307/506/34, I.P.C.
5. It is submitted learned counsel for the petitioner that the petitioner has not named in the F.I.R. and he has been falsely implicated in this case. It is further submitted that one accused, namely, Kuna Mohanty, assaulted the victim and at that time, the petitioner was present at the spot and he has been falsely implicated in this 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 court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

