

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8698 of 2022

Sk.Aziz

..... Petitioner
Mr. L.N.Patel, Advocate

-versus-

State of Odisha

..... Opp.Party
Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner, who is innocent has been falsely implicated in this case by the informant only to harass the Petitioner. On perusal of the F.I.R. and 161 Cr.P.C. statements of the witnesses, it is found that no prima facie case is made out against the Petitioner.
5. Considering the nature of allegations made, gravity of the 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 surrenders before the learned S.D.J.M.,

Sambalpur in G.R.Case No.2753 of 2022 out of Dhanupali P.S.Case No.252 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate subject to verification of criminal antecedents of similar nature. It is directed that the Petitioner shall not indulge in such criminal activities while on bail. In the event it is found that the Petitioner is indulged in such criminal activities this order shall stand revoked.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.



RKS