

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9026 of 2022

Basanta Kumar Mahananda ***Petitioner***
Mr.Sachidananda Padhee, Advocate

-versus-

State of Odisha ***Opp.Party***
Mr.Sitikanta Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

03.08.2022

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 is the Ex-Sarpanch and the informant is the Wad Member of the same Panchayat. It is also submitted by the learned counsel for the Petitioner that some illegal activities of the informant has been protested by the Petitioner for which to save his skin from criminal liability the present false case has been foisted against the Petitioner. He also contends that the Petitioner is an old man of 60 yeas having no criminal antecedents.

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 J.M.F.C., Barpali in G.R.Case No.212 of 2022 arising out of Barpali P.S.Case no.219 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 and subject to verification of criminal antecedents of similar nature against the Petitioner.

6. The ABLAPL is accordingly disposed of.

7. Issue urgent certified copy of the order as per Rules.



RKS