

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9262 2022

Bijaya Kumar Mangaraj @ Tungia ***Petitioner***
Mr. Akshaya Kumar Sahoo, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.08.2022

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 has been falsely implicated in the alleged crime. The allegation alleged in the F.I.R. is a concocted one and afterthought. It is also submitted by the learned counsel for the Petitioner that the Petitioner is the owner of the truck and at the relevant point of time the Petitioner was not present at the spot.
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., Tangi in

G.R.Case No.385 of 2022 arising out of Nirakarpur P.S.Case No.142 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 antecedent of similar nature against the Petitioner. In the event it is found that the Petitioner has criminal antecedent then this order shall stand revoked.

6. Accordingly, the ABLAPL is disposed of.

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

RKS

