

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9455 of 2022

Asit Kumar Panda

.... ***Petitioner***
Mr. S.K. Pal, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and 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 C.T. Case No. of 2022, arising out of Jashipur P.S. Case No.97 of 2022 pending in the court of learned S.D.J.M., Baripada, Mayurbhanj for commission of offence punishable under Section 379, I.P.C.
5. It is submitted by learned counsel for the petitioner that the F.I.R. has been lodged against unknown culprits and twenty numbers of beam committed theft by unknown culprits and the value of the stolen property is of Rs.1,20,000/- and that the petitioner has been falsely implicated in this case. It is further submitted that although

the petitioner has not named in the F.I.R., he has been remanded in the present 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 surrenders and moves an application for bail 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 with further condition that while on bail, petitioner shall not indulge in similar activities.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Further, it is directed that the petitioner shall give an undertaking before the learned court below that while releasing on bail, he will ensure that he will not involve in similar nature of offences failing which this order shall automatically be revoked.

8. It is open for the learned court below, if the petitioner fails to appear in court, then the learned court below shall proceed against the petitioner in accordance with law.

9. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge