

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9748 of 2022

Sudhansu Patra @ Milu ***Petitioner***
Mr.Sanjib Kumar Bhanjadeo,Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.08.2022

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 main allegation in the F.I.R, is against Nihar Ranjan Martha, who is stated to be the principal accused. So far as the present Petitioner is concerned, he has been implicated in this case on basis of the confessional statement of the principal accused. It is further submitted by the Petitioner that the Petitioner has not been named in the F.I.R. and the Petitioner does not have criminal antecedent of similar nature.

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., Khurda in G.R.Case No.335 of 2022 arising out of Khurda P.S.Case No.35 of 2022 pending in the Court of the learned S.D.J.M., Khurda 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 antecedent of similar nature. In the event it is found that the Petitioner has any criminal antecedent of similar nature, then the bail order shall stand revoked.

6. Accordingly, the ABLAPL is disposed of.

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

