

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9808 of 2022

Tophan Kumar Nayak @ Tofan ***Petitioner***
Nayak

Mr. Satyabrata Dash, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.08.2022

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 allegation made against the Petitioner is false and fabricated and the present case has been filed by the informant against the Petitioner with some personal vendetta. It is also submitted by the learned counsel for the Petitioner that no prima facie case is made out against the Petitioner and he has also no criminal antecedent.
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., Chhandikhole in C.T.Case No.1212 of 2022 arising out of Badachana P.S. Case No.227 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.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



RKS