

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.9833 of 2022**

***Akhay Tripathy***

.... ***Petitioner***  
***Md. Golam Madani, Advocate***

***-versus-***

***State of Odisha***

.... ***Opp. Party***  
***Mr.S.Mishra, A.S.C.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**17.08.2022**

**Order No.**

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for both the parties and perused the records.
  3. The Petitioners are apprehending his arrest for the alleged commission of offence under Sections 454, 380 of the Indian Penal Code in G.R.Case No.511 of 2022 arising out of Dhusuri P.S.Case No..240 of 2022 of the Court of the learned J.M.F.C., Dhamnagar.
  4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner.
  5. However, on the submission of the learned counsel, the Petitioner is are given liberty to surrender before the learned

J.M.F.C., Dhamnagar in the aforesaid case in the first hour within 21 working days hence and moves for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record.

6. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

7. The ABLAPL is accordingly disposed of.

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

