

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9854 of 2022

Ritesh Singh

.... ***Petitioner***
Mr. S. Padhee, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Patra, 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 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 G.R. Case No.167 of 2022, arising out of Birmaharajpur P.S. Case No.67 of 2022 pending in the court of learned S.D.J.M., Birmaharajpur for commission of offence punishable under Section 379, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner has not named in the F.I.R and on the basis of the confessional statement of the co-accused, the petitioner has been falsely implicated in the present case. It is further submitted by learned counsel for the petitioner that the stolen articles have already been recovered.

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 conditions that the petitioner shall cooperate with the Investigating Officer as and when required for the purpose of the investigation.

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

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge