

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9931 of 2022

A.Appa Rao

....

Petitioner

Mr.Jyotirmaya Sahoo,Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.08.2022

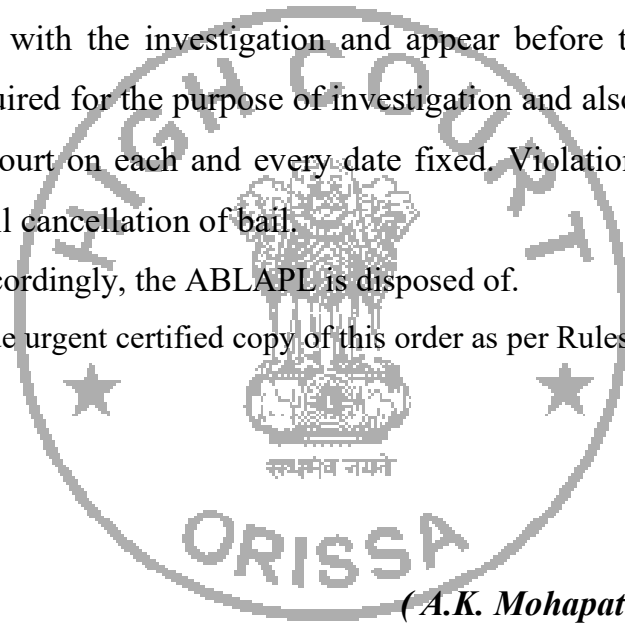
Order No.

- 02.
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 present petitioner was a witness to the deed, which is challenged by the informant on the ground that the same has been executed fraudulently. It is submitted by the Petitioner that the Petitioner is only a witness to the deed and he has no knowledge about any other crime that had taken place. Further, it is submitted by the learned counsel for the Petitioner that the Petitioner does not have similar nature of criminal antecedent.

5. Considering the age of the Petitioner, 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., Berhampur in G.R.Case No.1696 of 2022 arising out of Berhampur Sadar P.S.Case No. 322 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 and subject to verification of criminal antecedents of similar nature. It is further directed that the Petitioner shall cooperate with the investigation and appear before the I.O. as and when required for the purpose of investigation and also appear before the trial court on each and every date fixed. Violation of conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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



(A.K. Mohapatra)
Judge