

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9985 of 2022

Somanath Sabar

....

Petitioner

Mr.Jyotirmaya Sahoo,Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

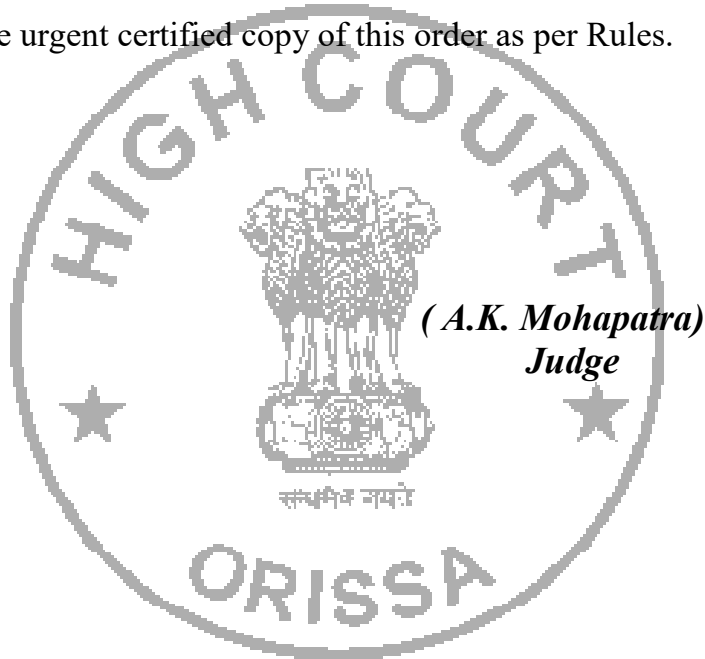
23.08.2022

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 Petitioner is an innocent person having no criminal antecedent. It is also submitted by the learned counsel for the Petitioner that the allegations made in the F.I.R. do not make out a prima facie case against the Petitioner.
 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., Khallikote in G.R.Case No.175 of 2011(A) arising out of Khallikote P.S.Case No.89 of 2011 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 antecedent of similar nature against the Petitioner. In the event there is more than one criminal antecedent of similar nature against the Petitioner, this order shall not be given effect to.

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



RKS