

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10004 of 2022

Dhiraj Biswal

..... Petitioner

Mr. P.K. Das, Advocate

-versus-

Union of India (Railway)

..... Opp. Party

Ms. Babita Sahu, C.G.C. for Railway

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 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 seeking pre-arrest bail in connection with 2(C) CC No.390 of 2022, arising out of RPF Bhadrak P.S. Case No.17 of 2022 pending in the court of learned S.D.J.M., Bhadrak for commission of offence punishable under Section 3(5) of RPUP Act.

5. 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 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 condition that the petitioner shall not

indulge similar activities while on bail.

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

6. 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.

7. It is open for the learned court below, if the petitioner fails to appear in court, then the learned court below shall proceed against the petitioner in accordance with law.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu