

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

**ABLAPL No.10017 of 2022**

***Sunil Jaiswal***

***Petitioner***  
....  
*Mr. S.K. Lenka, Advocate*

***-versus-***

***Government of India (Railway)***

***Opp. Party***  
....  
*Mr. B.K. Padhi, 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 CC Case No.59 of 2022, arising out of RPF Post BBSR Case No.09 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offence punishable under Sections 3(a) of RP (UP) Act, 1966 and amended Act of 2012.

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.

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. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

