

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10063 of 2022

Pinku Behera

....

Petitioner

Mr.Jyotirmaya Sahoo,Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

24.08.2022

Order No.

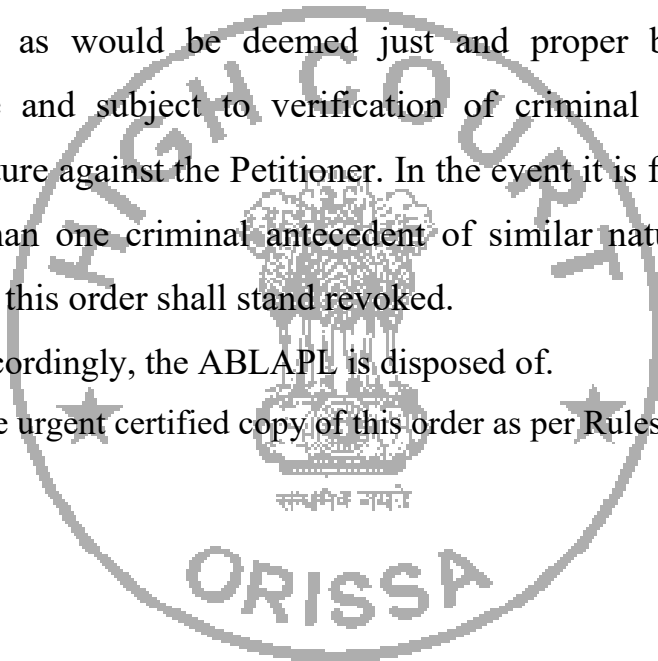
- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Government Advocate. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R. On the basis of co-accused statement the Petitioner has been implicated. It is also submitted by the learned counsel for the Petitioner that the stolen articles have been recovered from another accused persons. It is also submitted by the learned counsel for the Petitioner that while forwarding co-accused the offence under section 413/34 of the

Indian Penal Code has been added. However, so far as the Petitioner is concerned, there is one more case of similar nature 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 N.G.N.-cum-J.M.F.C., Tangi in G.R.Case No.11 of 2022 arising out of Nirakarpur P.S.Case No.02 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 against the Petitioner. In the event it is found that there is more than one criminal antecedent of similar nature against the Petitioner, this order shall stand revoked.

6. Accordingly, the ABLAPL is disposed of.

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



(A.K. Mohapatra)
Judge