

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10082 of 2022

Raju Sahu

....

Petitioner

Soumya Ranjan Das, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

25.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 147/143/452/337/323/392/379/354/149, I.P.C.
4. It is submitted by learned counsel for the Petitioner that the stolen gold chain and other ornaments have been seized from the co-accused persons. He further submits that the Petitioner has been falsely implicated in the present case, as he demanded his arrear dues for the works done by him in the house of the Informant. Learned counsel for the Petitioner further submits that the petitioner has no similar nature of criminal antecedent in his name.

5. Considering the nature of allegation, gravity of the offence and facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C.,(R), Rourkela in G.R. Case No.565 of 2022 corresponding to Bandomunda P.S. Case No.118 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedents against the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall automatically stand revoked.

While imposing conditions for bail, learned Magistrate shall also impose the following conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall also appear before the learned trial court on each and every date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the petitioner.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge