

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10573 of 2022

Sujoy Mandal

.... ***Petitioner***
Mr. G. Mishra, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.09.2022

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 is seeking pre-arrest bail in connection with G.R. Case No.317 of 2021, arising out of Kalimela P.S. Case No.164 of 2021 pending in the court of learned J.M.F.C., Motu for commission of offence punishable under Sections 379/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that on the basis of the statement of the co-accused, the petitioner has been implicated in the present case. He further submits that the petitioner does not have any criminal antecedents.
6. Considering the nature of allegation, gravity of offence and the facts 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 and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. 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.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

