

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10829 of 2022

Tapas Kumar Malla

.... ***Petitioner***
Mr. S. Mishra, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by learned counsel for the petitioner that the Transport Agency involved in the present case belong to one Tapapas Malla and the truck which was involved in the crime owned by one Badrinath Rout and the said truck was driven by Riten Kumar Behera. It is submitted by learned counsel for the petitioner that he was the nephew of the owner of the Transport company. Further, it is stated that the present petitioner in the present is no way involved in the alleged crime. He does not have any criminal antecedents of similar nature.
5. Considering the nature of allegation, gravity of the offence and 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 before the learned S.D.J.M., Angul in G.R. Case No.1160 of 2022 arising out of Angul Sadar P.S. Case No.598 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 may deem just and proper in the facts and circumstances of the case but subject to verification of criminal antecedents of similar nature against the Petitioner. It is further directed that the petitioner while on bail shall cooperate with the Investigation and appear before the I.O. as and when required and shall appear before the trial court on each and every date fixed. Violation of conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

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

