

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10862 of 2022

Atanu Kumar Jena @ Dudulu Jena ***Petitioner***
Mr. Sarat Ku. Jena, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

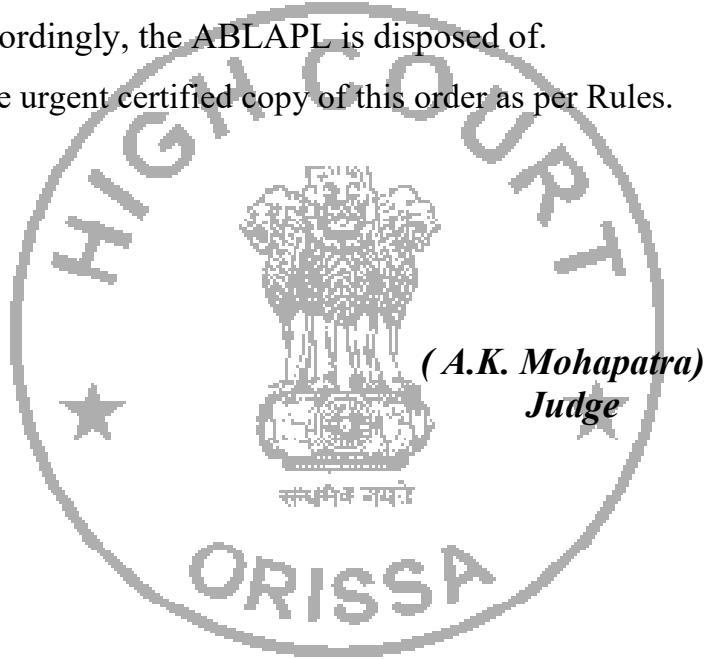
12.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. 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 been falsely implicated on the basis of confessional statement of co-accused. He also submits that the Petitioner does not have criminal antecedents.
5. Considering the nature of allegations made, gravity of the 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 before the learned J.M.F.C., Gondia in

G.R.Case No.419 of 2020 arising out of Nihalprasad P.S.Case No.141 of 2020 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, but subject to verification of criminal antecedent of similar nature against the Petitioner. It is 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. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



RKS