

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11046 of 2022

Sk.Sarafat

..... Petitioner
Mr.Kuldeep Mohanty,Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

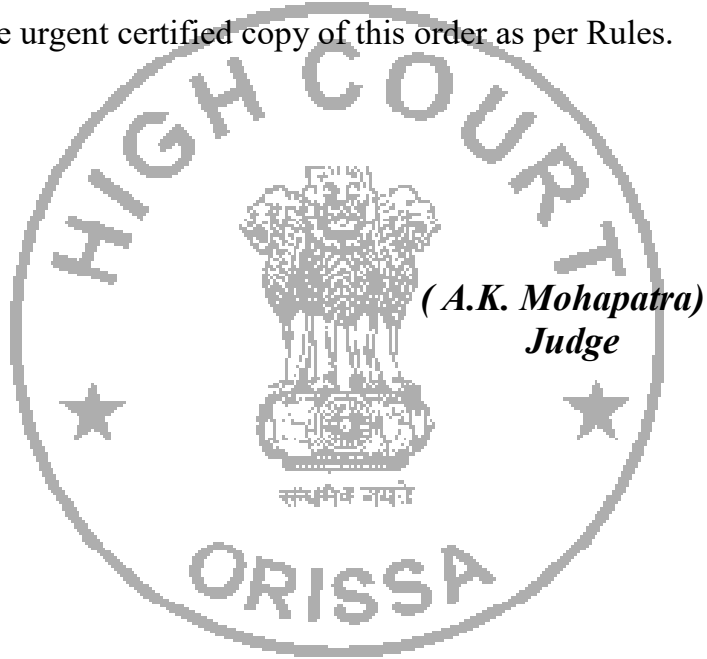
13.09.2022

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 not been named in the F.I.R. However, he further submits that in course of investigation it was found that the mobile phone belonging to the accused has been used by the principal accused. The said mobile phone was stolen earlier. Further, it is submitted by the learned counsel for the Petitioner that the Petitioner does not have similar criminal antecedent.
 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 S.D.J.M., Balasore in C.T.Case No.1413 of 2019 arising out of Bamapada (Industrial) P.S.Case No.189 of 2019 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.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



RKS