

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11461 of 2022

Shiv Sankar Thapa

.... ***Petitioner***
Mr.A.R.Panda,Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

19.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. The Petitioner is apprehending his arrest for the alleged commission of offence under Sections 354-C,384,511/34 of the Indian Penal Code read with Section 67 & 67B of I.T. Act and Section 12 of the POCSO Act.in G.R.Case No.219 of 2022 arising out of Saintala P.S.Case No.227 of 2022 of the Court of the learned J.M.F.C, Saintala.
3. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner.
4. However, on the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned J.M.F.C, Saintala in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall

consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record.

5. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.
6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.



RKS