

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11805 of 2022

Rakesh Kumar Agarwal @ Raka ***Petitioners***
and another

Mr. S. Pattanayak, Advocate

-versus-

State of Odisha

.... ***Opp. Party***

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.656 of 2015, arising out of Pipili P.S. Case No.462 of 2015 pending in the court of learned J.M.F.C., Pipili for commission of offence punishable under Sections 272/273, I.P.C. read with Section 47(a) of Bihar and Orissa Excise Act.
5. It is submitted by learned counsel for the petitioners that the principal has been arrested and released on bail by the learned court below and the petitioners have been falsely implicated in the present case.
6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the

petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

