

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12681 of 2022

Mahabir Nayak

Petitioner

....
Mr. Bijaya Kumar Behera, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. S. Mishra, A.S.C.

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
30.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. On oral prayer of the learned counsel for the Petitioner, he is permitted to carry out the correction in the body of the application.
3. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 379, 411/34 of the Indian Penal Code.
5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Bhubaneswar in C.T. Case No. 5827 of 2022 arising out of Sahidnagar P.S. Case No. 455 of 2022 within a period of three weeks

from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to furnishing cash security of Rs.5000/- (Rupees Five thousand) which shall be kept in any Nationalised Bank in an interest bearing account in the name of the court in seisin over the matter and subject to verification of criminal antecedents of similar nature.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS

