

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13039 of 2022

Shibaram Sahu

.... ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
12.10.2022

Order No.

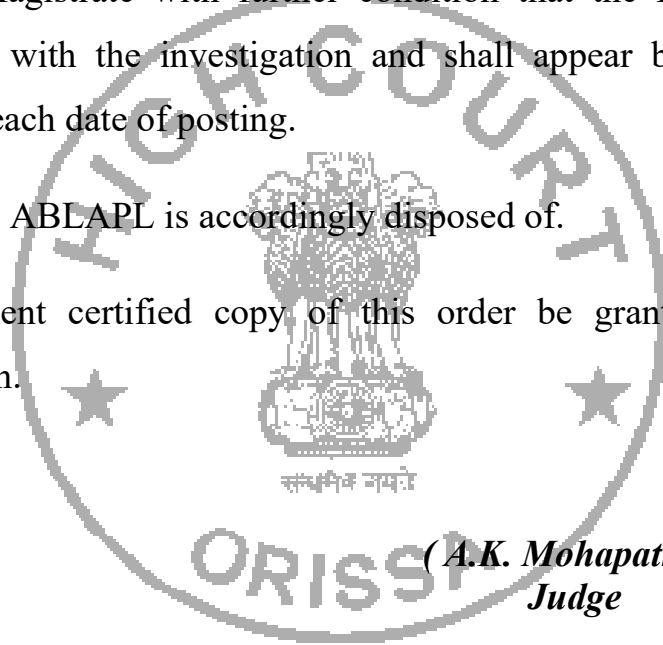
- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the allegations leveled against the present Petitioner are false and fabricated and the Petitioner is no way connected so far as the alleged offences are concerned. The Petitioner is a witness to the sale deed. The allegations leveled against him are omnibus in nature.
 5. It is further submitted by learned counsel for the petitioner that on similar footing with the present petitioner, another co-accused persons have already been released on bail by this Court in ABLAPL No.8670 of 2022 vide order dated 01.08.2022 and in ABLAPL

No.12995 of 2022.

6. Considering the nature of allegations made, gravity of the offence and the fact 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., Chhendipada in G.R.Case No.664 of 2022 arising out of Chhendipada P.S.Case No.338 of 2022 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 with further condition that the Petitioner shall cooperate with the investigation and shall appear before the trial Court on each date of posting.

7. The ABLAPL is accordingly disposed of.

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



(A.K. Mohapatra)
Judge