

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14673 of 2022

Jamir Raza Khan

....

Petitioner

Mr. Jayanta Kumar Majhi, Advocate

-versus-

Republic of India

....

Opposite Party

Mr. Bidyalok Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

01.12.2022

Order No.

01.

1. Heard the learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 160(ii) of the Railway Act, 1989 in connection with 2CC Case No.20 of 2022 arising out of RPF Post Rupsa Case No.26/22 dated 23.09.2022 pending in the court of learned S.D.J.M., Balasore.
3. Keeping in view the submissions of the parties and having gone through the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and gravity of the offence, this court is not inclined to grant anticipatory bail. However, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Balasore in aforesaid 2CC Case within a period of three weeks from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court, but subject to

the condition of depositing cash security of Rs.5,000/- (Rupees Five Thousand) by the Petitioner to the satisfaction of the learned court in seisin over the matter. However, the order is also subject to the following further conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall also appear before the trial court on each date of trial, without fail.
- (iii) He shall not indulge in any other offence of similar nature in any manner whatsoever, while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

4. The ABLAPL is disposed of accordingly.

(*Chittaranjan Dash*)
Judge

S.K. Parida